

Dornan/Sanchez — The Plot Thickens

CALIFORNIA★POLITICAL
REVIEW

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Arnold Steinberg
Explains Why
Race Doesn't Matter

Pat Nolan
Maps
Prisoners' Rough Road to God

Richard Ferrier
Advances
With CCRI

**California's
Heartless
Welfare
System**

by Tom Bordonaro



**Rewarded for
Failure:
California's
Bilingual Education**

by
Harald G. Martin

**Venice, California,
the Dreaded Graffiti Menace
and
the Law in
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CORRESPONDENCE

Right On, Grass Roots!

The importance of "grass roots," as outlined by Lorelei Kinder ("The Front Line," *CPR*, January/February 1997) was *right on!* That's a base we need to rebuild before the June '98 primary and we can do so with exemplary issues and candidates. Thankfully, the GOP has lots of both!

Betty Gault Cordoba, first vice-chairman
San Diego County Republican Party

Clouded Crystal Ball

Leon McKinney's no Kreskin when it comes to mind reading. In his article "The Register Goes Partisan in the Dornan/Sanchez Race" (*CPR*, January/February 1997), he says I "used" a *Register* computer analysis of the race "to justify dismissing Dornan's charges of fraud."

I have never written about the *Register* computer analysis, let alone "used" it to "justify" any point whatever. Indeed, the only column I have produced on the Dornan race ran December 1, five days before the news article reporting the computer analysis appeared. I was unaware of the computer study when I composed my December 1 opus.

At the time my column ran, by the way, the election had not yet been certified and ballots were not available for inspection. It was premature to weigh in one way or the other on the fraud allegations, and I did not do so. Instead, I focused on how Dornan, in the opinion of many local political activists, had made himself vulnerable by spending too much time running for president and in other pursuits more glamorous than precinct walking in Santa Ana and Garden Grove.

I have taken an open-minded approach to the fraud charges from the first, actively following up on allegations and considering the evidence. It is obvious there were real and serious irregularities. Whether they were widespread enough to erase a nearly 1,000-vote margin is another question, awaiting more investigation.

It is all a reminder that the state's polic-

ing of registration and voting is scandalously lax. But I knew that before the latest election. And that is precisely why I would not have been so incautious as to "dismiss" Dornan's allegations before all the evidence is in.

Harold Johnson, editorial writer
Orange County Register

(Mr. McKinney responds in his article, page 23 of this issue.)

Paul Ehrlich Redux

CPR's editors and analysts chewing over the election appear determined not to face the exploding immigrant population bomb that is destroying the basis for a two-party system. California gains just about 1,000 new immigrants a day. Many do not know the English language, nor will they ever learn it beyond bare rudiments. Few possess the basic understanding of United States and California history that even our high school and college students are supposed to get. (Heaven knows what they actually get in California's loopy academic environment!)

One can just imagine the language and Civics skills immigrants receive from such providers as the federally-employed, infamous "*Mexican National Hermandad*," the group that dispatched non-citizen graduates to vote, likely for Bob Dornan's opponent. Yet the *Hermandad*, according to the *L.A. Times*, is approved by the INS as a training provider. One can only imagine how many such racist "educational" brotherhoods, whose own providers evidently do not know the electoral laws, there are — all close to the federal dole and busily undermining the very system of politics that created it.

It tells us something today that even Chinese immigrants have been voting contrary to all earlier prediction, for Democrats. And they, too, vote in racist blocs, as a recent front-page story in the *San Francisco Chronicle* (January 15) made

(Please turn to page 22)

SACRAMENTO SPECTATOR

Your *Spectator* reported shortly before last November's election about nefarious goings-on at Hewlett-Packard. The company used to be firmly Republican in its outlook, but now takes positions to the left of Jesse Jackson on many matters.

We reported specifically on the company quitting the California Manufacturers Association (CMA) in a huff because CMA wouldn't support a pet project of HP's that would have raised taxes. The news gets worse, at least from a non-socialist point of view.

The main mover behind HP's leaving the CMA was a particularly obnoxious and left-leaning member of their government relations staff in the Silicon Valley. This guy is referred to by people who know him as having the ability to "strut sitting down," so unctuous is his ego.

Sadly, he is apparently in line to become the executive director of the loose alliance of Silicon Valley companies that were active in defeating the trial lawyer-inspired Proposition 211 last November. Additionally, one of the HP executives in charge of political matters in its Sacramento area of-

fice is the son of *the* most liberal columnist at the *Sacramento Bee*.

You are forced to wonder if the Silicon Valley executives really know what they're getting themselves into, or if they really *do* think their businesses are now so big that a free market hurts them more than it helps them. They may have decided to use government regulation as a tool to keep smaller competitors at bay — not an unknown tactic of big business.



But it is sad to see the entrepreneurial spirit that helped Silicon Valley grow give way — if that is indeed what is happening — to be replaced by raw greed and a feckless political prostituting of first principles. Recall: it was a group of successful entrepreneurs grateful for the success that this country's free institutions had given them — a group that came to be known as the "Kitchen Cabinet" — that provided Ronald Reagan's critical initial support in the 1960s, without which it is entirely possible he'd never have had a political ca-

reer at all. Where are such generous businessmen today?

On a somewhat brighter note, it now appears highly likely that the House of Representatives will unseat Loretta Sanchez and call for a new election in that Orange County district. Bob Dornan apparently will heed the pleas of Party insiders and not run again. Most likely candidates include Assembly GOP leader Curt Pringle and several well-known and deep-pocketed local activists. Bruce Herschensohn is mentioned as a dark horse. Odds slightly favor a GOP win in a special election.

And in a first scan of the 1998 statewide offices, it appears that, absent any real choice, conservatives are beginning to coalesce around Dave Stirling for attorney general. A Matt Fong U.S. Senate candidacy suffers at the moment from a reluctance to commit to him among Party activists waiting to see if a more proven conservative gets into the race (Congressmen Cox and Dreier being those most frequently mentioned).

And the lieutenant governor's race is so far an orphan. Listen to your *Spectator*: the lieutenant governor's race will turn out to be *the* hot and controversial primary next year. Why? stay tuned to future columns.

— A.P.C.

Doing 'What's Good For Kids'

Partners Or Partisans?

A N D R E W J . P E T E R S O N

CARRIE MAZZONI of San Rafael is the new Democrat chairman of the Assembly Education Committee, replacing Steve Baldwin, the Republican whose brief tenure as committee head ended with the Republicans' November loss of the lower house majority. Mazzoni is cordial, responsive, and excited about the legislative session now beginning, describing herself as "very optimistic."

"The future is rosy," she told me recently, a prognosis she believes because she expects "good relations" with Governor Wilson and because "there is a lot of money to spend, especially with Proposition 98. This year the main questions concern how to budget this money rather than fighting partisan battles." And what principles will guide the spending of all this money? "We want to do what's good for kids."

Don't we all. The question, of course, is: how? Even if, for argument's sake, we grant Mazzoni's somewhat dubious proposition that there is plenty of money, her resulting breezy optimism seems likely to run afoul of a host of fundamental disagreements over educational philosophy that no amount of lavish spending could eliminate or even much diminish. Talking with Steve Baldwin about last year, for instance, I elicited a revealing list of what he considered that session's "low points": the defeat of a range of parental rights bills, Republicans' inability to change state schools' reliance on various psychological tests and psy-

cho-therapeutic techniques, and the ability of homosexual activists, acting under cover of "AIDS education," to promote homosexuality.

In addition, Baldwin's principal consultant on education, Natalie Williams, who now works at Capitol Resource Institute in Sacramento, told me she worries about what she calls a "rubber-stamping" process of seemingly blind obedience to union pressure shown by some members, accompanied by a lack of understanding of crucial bills and policy issues. For instance, years after substantial evidence invalidated fashionable innovations such as whole language instruction and values clarification, educationists and unions still convince liberal legislators and bureaucrats to fund them. The big story at the grassroots level is the success of instruction with lots of parental involvement and traditional pedagogy and values: private home and day schools. That's "what's good for kids," but don't hold your breath waiting for bills incorporating this wisdom to emerge from Mazzoni's committee.

Above all, a profound disagreement divides Democrats from Republicans over who ought to be in charge of the schools: parents or "experts." Looking back over 1996, former Education Committee aide Dana Cody complained pointedly about Democrat legislators' lack of respect for ordinary citizens. She mentioned a Democrat senator who one day declared his "right to be rude" to parents who showed the temerity of testifying on educational issues.

Readers who've been away from school awhile may not be aware of the extent to which an arrogant or adversarial atmosphere prevails in the schools themselves. Imagine your son has been doing poorly in



Andrew J. Peterson, Ph.D., California Political Review's education issues correspondent, is chief information officer at Fieldstead and Company of Irvine.

THE FRONT LINE

Lorelei Kinder

Two upcoming important Republican conventions — one held by the California Republican Assembly, the other by the California Republican Party — offer dramatically contrasting looks. In short: The future versus the past.

CRA's April 4-6 annual convention in Ontario will feature up-and-coming Republicans including Texas Governor George W. Bush, Tennessee Senator Fred Thompson, California Attorney General Dan Lungren, and Missouri Senator John Ashcroft, along with political leaders still very much at the center of GOP activity: vice-presidential nominee Jack Kemp and Pat Robertson, host of television's "700 Club."

In contrast, the California Republican Party's February Convention featured retiring Governor Pete Wilson (who nonetheless still dreams of the White House) and the much-loved but also mostly retired Reagan insider and political consultant, Lyn Nofziger.

CRA, California's oldest and largest conservative grassroots organization, has a tradition of aiming forward. It featured Ronald Reagan 30 years ago, launching his 1966 gubernatorial

bid, when establishment Republicans of the Wilson variety shunned him uniformly. It is, perhaps, an indication of Nofziger's present status that his old enemy Wilson apparently feels safe allowing Nofziger a major convention platform. Such greybeards and elder statesmen seldom stir up much trouble.

CRA, meanwhile, remains more committed to principle and volunteer service



(to getting things done) than to keeping politicians comfortable, as evidenced by its having received the state GOP's 1996 award for registering more new Republicans than any other group.

The California Republican Party under Wilson (who still calls the shots no matter who is chairman) has been pushed unrelentingly away from conservative principle in the direction of so-called "pragmatism." One result has been the departure of the peo-

ple base the Party mustered into its volunteer army in the 1980s. In the '90s, new volunteers have been scarce and voter turnout deplorable as Republican resources were gradually shifted from support of a solid ground game to funding a sophisticated "air" game. In 1996, relying primarily on TV, mail, and professional help to elect Republicans failed to deliver.

Republicans might take a lesson from the United States Army. Post-Vietnam and post-draft, when volunteer numbers were small, the Army acted boldly. It hired a public relations agency which attacked the problem with research and creative thinking that led to a successful ad campaign. (Has anyone not heard "Be all that you can be..."?) Young men and women, shown a future they could embrace, were motivated to enlist.

Motivate, enlist, train. That's what the Army does. To reverse the trends of the last three election cycles Republicans should take a page from the Army's play book: confront the problem and find the solution. Effective politicians speak to the California Republican Assembly because there they find a small, growing, motivated, and well-trained army ready to fight for conservative principles: just what good candidates need to win elections, and just what the Republican Party should provide.

CPR

class, and you are called to the public school for a meeting with his principal. Upon arriving at the office, you face a group of professionals: teachers, a psychologist, a counselor. They pronounce their diagnosis and prescribe treatment for the boy. Results are not guaranteed, but the state experts have spoken. Given education's steep decline in California — our 49th-place state ranking in reading achievement, for instance, with only 18 percent of fourth-grade students reading "proficiently" on the 1994 NAEP, poor results from bilingual education, high dropout rates, etc. — you are left wondering how effective these "public servants" will be in helping your child overcome his learning difficulties.

YEARS AGO, working as a psychologist, I did many "second-opinion" educational evaluations for parents in just such situations. Presenting our findings and suggestions to school officials, I was often shocked at their adversarial tone. It was as if the family had been summoned to the magistrate to hear the verdict and receive the sentence. This "tyranny of the experts" is, I believe, a central cause of the poor results achieved in American education.

Mazzoni said she wants to do "what's good for kids" using government to provide new public school facilities and to create system-wide accountability through standardized testing and new administrative procedures — nothing terribly revolutionary. Democrat talk of a "rosy" year ahead and "bipartisan" cooperation makes sense from their perspective: legislative placidity favors the *status quo*.

The alternative idea of how to do "what's good for kids" reflects a deep dissatisfaction with the *status quo*. Before the euphoria over "partnership" clouds perspective completely, a look at this alternative, as revealed in the record compiled by last year's Education Committee, proves informative. As chairman, Baldwin tried to open up the system to the growing parental rights movement. Mothers, fathers, and groups such as Parents Involved in Education (P.I.E.) were invited to testify and given the time and respect due the tax-paying, primary guardians of our children.

Baldwin stresses concern about attempts at classroom "social engineering" that continue even after years of severe criticism of such psychological measures in school. His committee tried to restore balance, upsetting a long tradition of input coming exclusively from professionals, well-meaning but with vested interests in the existing state of affairs. For the first time, a different breed of experts — those with a "back to

basics" perspective — were given equal time with those who perennially champion academic innovations. And these experts brought compelling data and arguments that resulted in a complete revamping of the reading curriculum. Phonics instruction was returned to textbooks and teacher training — although it may be necessary to go to court to ensure the implementation of these legislative reforms. "De-funding the whole language experiment was a high point of the committee's work," remarked Natalie Williams.

On the defensive front, the GOP critique of Goals 2000 proved vital in turning back, at least for now, that attempted federal expansion into local education.

And what of the future, with Democrats now back at the helm? The Education Committee's new Republican vice-chairman, Rod Pacheco, said he wants to pursue a tax credit to help parents who prefer enrolling their children in private school. The amount of the credit might equal what the parents save the state system by educating their otherwise eligible children somewhere else. But the amount of the credit is probably less important than the shift its existence would likely bring to the educational "balance of power," so to speak. As parents, rather than establishment experts, make choices about the best instruction for their children, genuine market accountability would enter the process. That's why Pacheco believes tax rates must be considered in any discussion of education reform. It will be interesting to watch Pacheco's leadership while he copes with the partisanship of a 13-8 Democrat majority on the committee.

Top Issues and Questions for 1997

Such allegedly "conservative" solutions as reduced class size purchased with almost a billion dollars may increase local district dependence on Sacramento. What effect will this campaign for smaller classes have on parents' tax rates? When did state funding last cover all the costs of any large, new program? Will districts be squeezed to increase taxes for new buildings or portable classrooms?

Another area to watch in 1997 will be genuine progress made toward the teaching of basic literacy skills. And how completely will CTA dominate Assembly action this year? Lance Izumi, Pacific Research Institute senior fellow, suggests that "the number of times the Democrats differ from a union view will be the greatest test for the 1997 Assembly." It will be stunning if they pass that test in any degree whatever. What about this year's installment of Goals 2000? Will family-based education face efforts at increased regulation? Lots to talk about. Stay tuned. CPR

George Watch

Our chief justice has been busy living down his conservative image

M A R K S . P U L L I A M

EVERYONE, IT seems, is talking about judicial activism these days. A symposium in the November 1996 issue of *First Things*, entitled "The End of Democracy? The Judicial Usurpation of Politics," has prompted a long-overdue dialogue regarding the proper role of courts in a democratic society. Many conservative journals of opinion, including *National Review*, *The Weekly Standard*, and *Commentary*, have recently jumped into the debate, as have numerous national political columnists. This is a good thing, even though the *First Things* symposium opened up an internal schism within conservative ranks (and prompted the resignations of Gertrude Himmelfarb, Walter Berns, and Peter Berger from its masthead) by questioning "whether we have reached or are reaching the point where conscientious citizens can no longer give moral assent to the existing regime." This provocative discussion continues in the January 1997 issue of *First Things*, where John Leo observes that "[p]erhaps the most galling aspect of the revolution in the courts is that it remains invisible to most Americans. In part, this is because we get most of our news about the courts from reporters who share the principles of the cultural left and are thus part of the problem." Just so. But not at *CPR*.

CPR has been covering this subject for years. One year ago, your correspondent began a series of columns focusing on liberal judicial activism by the California Supreme Court, and the disturbing evidence that Ron George, now chief justice, was leading the court in that direction. At first, the liberal media's reaction was either to ignore the issue or mock the claim that the current court is anything but conservative. Arthur Gilbert, a (liberal) Court of Appeal justice from Ventura and a columnist for the *L.A. Daily Journal*, reacted to your correspondent's view of the court,

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which Gilbert perceived to be conservative, was: "I scratched my head." He was baffled, dumbfounded. Well, the tide is turning.

The major media is beginning to catch on regarding the notably non-conservative leanings of Chief Justice George. In a December profile in the *L.A. Daily Journal* entitled "George Brings Subtle Change to High Court," reporter Philip Carrizosa noted that the court has been steadily moving to the left since Governor Wilson took office: "During 1997, expect the court under George to continue being more moderate than it was during the height of the Lucas court." (Malcolm Lucas, George's predecessor as chief justice, was appointed by George Deukmejian.) In the same profile, George was quoted as saying that *American Academy of Pediatrics v. Lungren* — involving California's law requiring that minors obtain parental or judicial permission for abortion — will probably be set for arguments "quite early in the coming year." An Associated Press story by Bob Egelko in January cited the May 1996 vote to rehear *Lungren* as "the first sign of change on the new court" under George's leadership. The AP story concluded that the 5-2 vote in favor of reconsideration is "a hint of a new direction" away from the conservative era of the Lucas Court. You read it here first. ("Moderation to Excess — or — Exorcise Rose Bird," *CPR*, March/April 1996.)

THE TIDE may also be turning on the generally favorable press that George has been getting. Echoing *CPR*'s "The Emperors Wear No Robes" ("The Law," November/December, 1996), appellate advocate Gideon Kanner was quoted recently criticizing the court for its long-winded opinions, which he calls "turgid blockbusters." These decisions promote confusion and litigation because, Kanner says, "There are plenty of sharp-eyed lawyers who can seize a line of *dicta* or an extraneous footnote and turn it into a lawsuit." Similarly,

Boalt Hall Law Professor Stephen Barnett points out that the court's opinions appear to have swelled in direct proportion to increases in staff. In the genteel circles of judicial politics, this is harsh criticism.

WHAT HAS Ron George been up to recently? On December 16, 1996, the California Supreme Court issued the latest in what is becoming a long line of anti-business rulings. In *Romano v. Rockwell International, Inc.* (14 Cal. 4th 479), the court held that the statute of limitations for employment claims doesn't begin to run until the plaintiff is actually fired, even if the decision was made and announced earlier. In so ruling, the court (in a decision written by George) disregarded a contrary U.S. Supreme Court ruling on the same issue in a similar case, because "we question the reasoning of the high court's decisions in this respect." Instead, George's opinion adopted the reasoning of arch-liberal Justice William Brennan, who dissented in the U.S. Supreme Court decision. Ron George, disciple of William Brennan.

As chief justice, Ron George also heads the California Judicial Council, a panel that sets policy for the state courts. The Judicial Council recently issued a study, based on anecdotal reports, that considered people arrested, convicted, and sentenced for crimes, categorizing them according to, of course, skin color, the sole human characteristic liberal anti-racists find interesting. Relying in part on these race-based statistical comparisons, the report perceived "racial bias" in California's criminal justice system and recommended greater "efforts to improve diversity" on the bench: quotas for appointing racial minorities. The implicit assumption the Judicial Council embraced is that white judges cannot or will not be fair to minorities. George duly promised that the report would "not gather dust on a shelf."

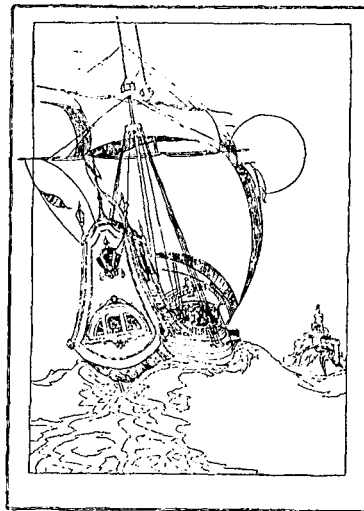
The Judicial Council also published a booklet on "gender fairness," which admonishes judges and court personnel to refrain from degrading comments such as referring to female attorneys by their first name or as "young lady," remarking on their physical appearance, displaying "stereotypical attitudes about how men and women act," or using "gender-biased words and phrases [that] dehumanize and demean women,"

such as "workman's compensation" and "firemen." Instead, judges are encouraged to use "bias-free words and phrases — such as 'workers' compensation,' 'fire-fighter,' and 'presiding juror.'" George wrote in the preface to the booklet that "the important principles ... in [this] booklet serve to reaffirm the judiciary's continuing commitment to ensure access and fairness for all participants in the California judicial system." Ron George, promoter of political correctness.

Juries don't decide cases based on what Gideon Kanner calls the "turgid prose" in the Supreme Court's verbose decisions. Juries decide cases based on condensed summaries of controlling legal principles, in the form of "jury instructions," provided them by the trial judge. Jury instructions are therefore critically important, even more important than the judicial decisions or statutes from which they are derived. In late December, Ron George announced the appointment of a statewide task force, charged with the responsibility of drafting civil (and criminal) jury instructions that accurately state the law and are understandable to jurors. (Perhaps acknowledging that the court's decisions are obtuse, George included a linguist and a communications studies professor on the task force. Why not just write clearer decisions?)

George named three civil attorneys to this task force, two of whom have strong ties to the organized plaintiffs' bar (Ian Herzog and Christine Spagnoli), and a defense lawyer who was recommended by a trade association opposed to civil justice reform. No in-house corporate counsel are represented on the task force. George has packed the task force with lawyers having a vested interest in drafting biased jury instructions! Ron George, friend of the trial lawyers.

ALTHOUGH GEORGE was appointed to the court and made chief by Pete Wilson, the two seem out of synch. George's dissent, for example, in *American Academy of Pediatrics* and his initiative in granting rehearing in that case (see "The Court's War on the Family," *CPR*, July/August 1996) is an embarrassment to Wilson, who supports the law being challenged. In a little-noted passage from his State of the State address, the governor said "we must reform a legal system that has made a lawyer's briefcase a weapon of terror that threatens to un-



dermine California's economy." (The plaintiffs' bar's response: "The lawyer's briefcase is a weapon of justice." Yeah. So are Gucci loafers, and Armani suits.)

UST TWO months earlier, however, George had sent an unprecedented letter to the state's 100,000 lawyers implicitly criticizing the 104th Congress for cuts in federally-funded legal services, and urging them to provide free legal representation to California's poor people, the number of whom has increased by more than 2 million since 1980 according to George. The message: Justice is not possible without a lawyer. Ron George, champion of the downtrodden.

In an even less-noted passage from the attorney general's January State of the Public Safety Address, Dan Lungren called upon Congress and the voters to consider a constitutional amendment to end life tenure for federal judges, saying "We have allowed our personal participation in this representative democracy to be rendered subordinate by the overbearing

power of our judiciary, particularly the federal judiciary." Meanwhile, in a January speech at Santa Clara University — and in his interview published last summer in *CPR* — Ron George implied that criticism of judicial over-reaching was largely attributable to a "widespread lack of public understanding" of how the judicial branch functions and the importance of its role. Ron George, apologist for judicial activism.

In the January issue of *California Lawyer*, Wilson's judicial appointments secretary, John Davies, is quoted as saying that candidates for judicial appointments exhibiting extra-curricular interests have an edge. "One of the positives we like to see in a candidate is community involvement — anything from Little League coaching to chairing the planning commission," said Davies. In light of the track record of Wilson's appointments to the California Supreme Court, Davies would be better advised to focus on ensuring that nominees have a sound judicial philosophy. *CPR*

THE MIDNIGHT ECONOMIST

Teaching Business

And The Business of Teaching

W I L L I A M R . A L L E N

PURPOSEDLY HIGHER education is big business. And business schools are big business within education. The University of California annually spends nearly \$3 billion in state money (the general fund, the lottery, student fees). With more than 150,000 customers, including 26,000 graduate students, this comes to more than \$19,000 per young scholar. Undergraduate fees are about \$4,100.

California total general fund expenditures are running at more than \$45 billion, so University of California spending of \$3 billion of state money is more than 6 percent of the state budget. Total university spending is much more than this: state funds cover only about one-fourth of the school's \$12 billion outlays.

A good deal of the non-state monies come from personal, corporate, and foundation philanthropy. And an impressive chunk of the philanthropy is directed to business/management schools. The UCLA school of management received \$15 million from an individual a

few years ago; the Berkeley business school similarly was given nearly \$24 million by one person; now, the University of Southern California business school has been favored by a \$35 million personal grant.

Most of us applaud generosity, the sharing of bounty in order to improve a dreary world. And, of course, there can be few better ways to do good than to subsidize education. Still, one who observes and participates in the activities of academe has ample reason for a touch of wonderment and unease. The chancellor of the California State University system recently said: "There are dangerous things happening in higher education nationally, one of them being this growing disconnect between why people send us money and how we spend it."

The misgivings apply in substantial measure to schools of business. What do business schools do, and

As an economist at UCLA, William R. Allen does not try or purport to teach what cannot be taught.

how do they do it, with what results and reasonable expectations of effective impact? The schools claim to train business decision-makers and entrepreneurs of tomorrow. Do they well know how to do so? Do they know what business competence is, how to identify it at an early stage of career, and what sorts of experience are most conducive to its development?

ONE MIGHT suppose business schools and business leaders would have made great progress in dealing with the dilemmas of providing superior business guidance. Unhappily, the boys in the dean's office and in the board room seem commonly naïve in the area of discerning and developing problem-solvers and decision-makers.

A senior vice president of a major corporation recounted that his company had long been "seeking to hire only MBAs, accountants and engineers, whose skills could be used immediately. But," he went on, "then we looked around us, and noticed that our own senior officers came from a variety of educational backgrounds, heavy in the liberal arts. And we began to wonder if short-term performance pressures were forcing business units to look only at people trained for entry level positions, with little thought for the long-range needs of the company."

That is a remarkable confession: The corporation was hiring simply for first-jobs people who had been trained simply for first jobs.

Surely, even an officer below senior vice president could be expected to comprehend that key recruitment of personnel is properly concerned, not primarily with the detailed chores of the day, but with acquiring people who possess qualities and characteristics providing promise of development over decades. And he could at least suspect that the qualities and characteristics that distinguish those who might grow into top-level analysts, problem-solvers, and decision-makers pertain to and reflect, not the particular classes taken in school, but to reading and writing, intelligence and alertness, ambition and energy, poise and sense, courage and integrity.

Further, in so far as particular course work is of interest, the emphasis obviously should be, not on training in nitty-gritty procedural mechanics — the firm can always hire mechanics for the mechanical problems of the moment — but on education conducive to growth in effectiveness in fundamental analysis and implementation of deduced policies.

It is notoriously the case that a substantial proportion of business leaders have limited comprehension of, or interest in, the economy in which they work, prerequisites of survival of their professional world, and identification of allies who can best help repel the barbari-

ans who seek to subvert that world. It is apparent, in addition, that some business leaders are muddle-brained even on the matter of finding and developing the talent required eventually to succeed them.

Entrepreneurship may be found in a manager. But the entrepreneur surely is more than an administrator of a going concern. A robust, expanding economy cannot confine itself to producing and delivering the same old goods in the same old ways. We commonly associate entrepreneurship with *new* things and activities and procedures. The entrepreneur faces uncertainties in seeking *new* products, *new* markets, *new* production and distribution techniques, *new* sources of supply, *new* types of organization. Such newness is sought as an aid in *rivalry* with market competitors.

The entrepreneur collects information and coordinates activity in trying to exploit perceived opportunities for uncommon returns. He both instigates change through innovation and responds to change perceived with new and better interpreted information. Those firms prosper most that best accommodate consumer preferences for goods that are different or better or less expensive or more attractively provided.

Much of modern economic theory has been quite static. It is commonly centered on market equilibrium in a given setting. Comprehending equilibrium and its conditions is no trivial achievement, though it has its limitations which must be kept in mind. It is not ridiculous for economists to set up toy worlds — they serve certain analytic purposes well — as long as the economists remember that these toy worlds are not the same as the real world; that they leave out much of what the real world is about. Indeed, they leave out entrepreneurship. Theory that largely ignores the market's entrepreneurial dynamics is inadequate as analytic description and, thus, as policy guide.

We can try to characterize the entrepreneurial function. We can speak of the productive consequences of imagination, creativity, innovation, initiative, insightfulness, boldness, persistence, and luck. We can try to identify conditions and circumstances of market activity. But can we teach people to be entrepreneurs?

WE CAN train managers. At least, we can provide certain tools and techniques — accounting, statistics, business law, portfolio and personnel management. But can we teach people to be imaginative and creative and innovative, to be insightful and bold and persistent — and to be lucky? Surely, effective entrepreneurs are born more than made. The contribution we can best make is not to try to teach the unteachable, but to get out of the way and let creative people create. CPR

Starting With Something Modest

*Perhaps all the former hall monitors who grew up to be editorial-page editors
could be persuaded that Americans should decide U.S. elections*

T I M W . F E R G U S O N

AN ARTICLE of faith among progressives, and therefore among the working press, is that every sentient being who can be induced to fill out a ballot, no matter how stupid or ill-informed he may be, should be rounded up on Election Day and admitted to this civic carnival. Hence, the inescapable reminders of our grave duty to vote at registration deadline (itself an unfortunate impediment, to the liberal mind) and then on voting day itself.

Of course not everyone should vote, but who will say it? The ignorant should be disqualified right off, and then probably all with a direct conflict of interest (*i.e.* recipients of public subsidies and contracts), and then perhaps those who aren't paying the freight of this government whose management we're choosing. Have election contests on tax day and require a purchase to enter.

Okay, that's way out, so how about starting with something modest, like citizenship? Well, not everyone agrees with that, just as an increasingly vocal minority argues that felons shouldn't be denied the franchise. (Crazy, you say? Remember, it only takes one federal judge to change the law.) But all the former hall monitors who grew up to be editorial-page editors could probably be persuaded that *Americans* should decide U.S. elections (though not necessarily in English if they haven't picked up the language of the country). The problem is that many of these editors are a little timid about enforcing said requirement. Because, well, we want everybody involved and we don't want to frighten off marginal voters with something so intimidating as proof of legitimacy. So we keep easing the process and frowning on "sour grapes" politicians who claim that bad ballots aced them out of office.

Bob Dornan may be wrong in his contention that aliens put Loretta Sanchez in office. Susan Brooks may have overstated the bogus vote for Jane Harman in 1994. Surely Michael Huffington did in the case of his foreign-born wife's Senate bid. But still, races further

down the ballot have tighter margins, and you might hope that all the commentators who decry the influence of money on politics would be equally exercised over this distortion. You might hope in vain. Sure, the *Orange County Register* editorialists, who in their most libertarian moods have urged even red-blooded patriots not to vote, cast a jaundiced eye on the Sanchez get-to-the-polls drive. But where are all the other voices for cracking down on California's incredibly lax process?

Reporters have no better track record, although in the Dornan case there's been an interesting twist: the Orange County edition of the *Los Angeles Times* has proved a tiger. It's been so aggressive in pursuing *Hermanidad Mexicana Nacional's* voter recruitment that the group cut off contact with *Times* reporters. The left-alternative *OC Weekly* also has jumped on the *Times's* case. The *Orange County Register's* news crew, meanwhile, took most cues from the registrar's office, which like those in other counties seems never to see or hear evil. A December 30 *Register* article atop the Metro section was headlined, "Some see brighter side to voting problems/Correcting irregularities will lead to an improved process, some Hispanic leaders say." Ah, yes, irregularity. Metamucil, anyone?

* * *

Of all the stories caterwauling about the looming cutback of welfare to immigrants, the *Los Angeles Times's* piece on how Tet holiday spending was down in Little Saigon may have taken the rice cake. Although one source in the Vietnamese community was quoted saying the push to self-sufficiency was a good thing, there was no sense in this piece — or in most of the others of late — that Americans might just object to people coming to this country to go on the dole. And then have money to spend on festivities! The *Times* story quoted Hoang Tu Quy, 74, as saying, "Now, we have to stand in line with downcast eyes to ask for what the public perceives as handouts. We are very saddened by that." We

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feel your pain at tax time, be assured.



Business Week, whose take on public policy is pretty close to Al Checchi's, led the pack with a profile of this Northwest Airlines boss who's considering a Democratic bid for governor. The magazine aptly noted that California's new open-primary law affords the \$550 Million Man a shot at overcoming the interest groups in the Party primary. What are Checchi's interests? Like most wealthy businessmen, he thinks he can use management brilliance, leveraged by tax credits for his brainstorm, to streamline California government and move the economy. Your humble columnist had a long conversation with Checchi five years ago on the subject of international airline deregulation. The good news is that Checchi, unlike most corporate executives, was comfortable engaging on political issues. The bad news is that he showed no particular philosophy about regulation, other than to complain when it inconvenienced his company. In other words, he was more interested in advantage than ideas. *Business Week* quoted him as saying he would use his gubernatorial appointments to overhaul Sacramento: "With 2,400 new people, we can change the world." First, Mr. Checchi, meet two old people, Mr. Lockyer and Ms. Kuehl.



The most powerful force for transforming the public sector in California may prove to be Proposition 218, the Jarvis redux. Hundreds of special districts throughout the state face having their lifelines (tax increases without voter approval) cut off. Look for a privatization rush. Journalists with sources beyond the public agencies they cover might get a scoop here.



It's come to this: Lead headline (about a supervisory appointment) in the *San Francisco Examiner*: "Board gets a straight white male."



Perhaps the best definition of a neo-liberal is someone who believes in the basic American liberal notions of forced wealth redistribution but has the independence and intellect to question the crazier strands of interest-group politics that emanate from that camp. Peter Schrag, longtime opinion monger at the *Sacramento Bee*, is a good example. Recently he described in sympathetic terms the efforts to return phonics as a cornerstone of the reading curriculum in primary grades. His column took note that former Governor George Deukmejian, in his new life as a hired gun, attempted to keep one publisher's lousy texts in use. Fortunately the

Duke's holdover appointees to the state Board of Education saw through the false witness. Meantime, Schrag's piece was reprinted on the editorial page of the *Orange County Register*, which has to be a rare tribute.



Want to read what Chuck Quackenbush is up to at the California Department of Insurance? The best place to turn may be the *Journal of Commerce*, a 170-year-old but little-known national publication out of New York that concentrates on trade and transportation news, in addition to the insurance business. Formerly a Knight-Ridder property, it's now owned by the *Economist* magazine group. At a time when newspapers are full of fluffy features surrounded by briefs, it nice to find one still devoted to daily reporting. Plus, the *J of C's* op-ed section regularly sports free-market commentaries.



One of the subtle ways in which today's newspapers seek to color the news (see last issue's column on "public journalism") is through the packaging of stories or series to create a gestalt that is not supported in the text. Take, for example, the *San Francisco Chronicle's* front-page spread last fall, "Turning a Blind Eye to Hate Crimes." The kicker headline was "A State in Denial." The story's data purported to show that California police agencies were asleep at the switch compared with those elsewhere, and that few of the incidents that do manage to get reported here subsequently lead to prosecutions. (Welcome to the criminal-justice system.) But the numbers also showed that the number of California agencies reporting "hate crimes" had increased nearly 20-fold between 1994 and 1995. Sounds more like a state in arousal. As usual, reporters had no trouble finding white supremacists to spotlight. Inside, was a half-page picture of some creepy kid in Lancaster giving a Nazi salute. He must have let out a loud "Heil!" when he saw it.



The *Chronicle* lent an editorial microphone to a *sotto voce* campaign to derail Jacqueline Schafer's confirmation as state Fish and Game director. In that post, she leads an administration effort to supplant the Endangered Species Act's one-bird-stops-everything approach with a conservation trade-off scheme allowing development away from each protected zone. A Reaganite who nonetheless knows the bureaucratic game, Schafer had suffered before at the hands of Bill Lockyer, when he forced her out as chairman of the Air Resources Board to settle a score with Governor Wilson. This time, however, she survived the flak from the *Chron* and the enviros with a 5-0 vote of the Rules Committee. CPR

Why race doesn't matter

^
Arnold Steinberg

THE SAME day a jury finds O.J. Simpson is “liable” for two murders, President Clinton’s State of the Union message is barely noticed. Clinton’s speech typifies the annual address of recent Presidents — a collection of words and phrases, ideas and proposals, that test well in focus groups and surveys. Fewer people listened than to last year’s speech, crafted then with the help of Dick Morris, who understood that symbols like school uniforms appealed to conservative values, to enable Clinton to be re-elected so he could appoint liberal jurists to trash conservative values. This year, Clinton seeks volunteers to tutor children to read, because public schools supported by Clinton can’t do the job. Just as Medicare increased demand for, and consequently prices of, medical services, so Clinton would avoid dealing with runaway costs of college education, and instead subsidize the inefficiencies, by assuring a guaranteed higher demand for higher education, as is.

Back to the Simpson melodrama, which, in demonstrating why race matters to some and not to others, probably is more important than what Clinton had to say (especially since Clinton doesn’t care what he says, only how he is received). In the Simpson criminal trial, many blacks cheered the jury’s nullification of the evidence, because they wanted Simpson to beat a system they viewed as stacked against black people. Since some white Southerners had been unpunished for murders of black people, many blacks now could rationalize letting a guilty black man go free or, more precisely, pervert the meaning of “without a reasonable doubt.” For these people, the “not guilty” verdict in a few hours was “payback” time.

How much does race matter? In the civil trial, many white people celebrated the verdict not because they wanted this black man to be judged culpable of killing

these two white people, but because they believed this man had killed these two people. If Simpson had killed two blacks and the evidence had been the same, the equally appalling crime would have been equally in need of closure. Simpson, an icon, would have been no more or less diminished, by his deed, on account of the race of the dead. For most people, the race of the victims was not a factor.

Some blacks would have been less likely to see racial animus in prosecuting Simpson for killing two blacks, but for many other blacks who believe the white power structure was intent on getting Simpson because he had married a pretty white blond woman, ironically, it would not have mattered if his wife were black, because they think whites wanted to bring Simpson down, anyway. That’s because they carry the victim mentality to its extreme: whites don’t want blacks to succeed and conspire to destroy the black who does. When you listen to talk radio, you realize these true believers would have no more compassion for black victims of O.J. because compassion gives way to ideology.

SIMPSON NOT only was black, he was rich. His acquittal was not only about race but also about the ability of rich defendants to engage legal gymnasts to obfuscate evidence. In that sense, many blacks felt that Simpson was entitled to the same specious defense as befits a white murderer with money. Does anyone doubt that if Johnnie Cochran were white and Alan Dershowitz were black, both men would have defended a white O.J. Simpson if the price were right?

Now, consider the murder of young Ennis Cosby, son of the successful actor-comedian Bill Cosby. Does anyone you know care about the race of the murderer? If the murderer were white, do you know



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any white person who would sit on a jury and send a message by sending that murderer free? Of course not. The murder is big news, but not because the Cosbys are black, but because Bill Cosby is the contemporary version of "Father Knows Best" and because Ennis Cosby seemed a decent young man.

THE TRIAL of a "white" O.J. Simpson, which is to say someone who achieved the fame and fortune of O.J. Simpson, but who happened to be white and with the circumstances of the crime about the same, would have been just as sensational as the trial of the real O.J. Simpson.

Consider Gloria Allred, who was obsessed with the O.J. case, not because she is a racist motivated to get a black man, but because she is a feminist motivated to get a wife-beater. If a white superstar beat his wife, then murdered her, I think Allred would have acted no differently.

Lt. Gov. Gray Davis, who became Acting Governor in Pete Wilson's absence, offered a \$50,000 reward to apprehend the killer of Ennis Cosby, not because Cosby is black, but because Davis is a politician. Bill Cosby dealt with his son's death with grace and dignity and wanted everyone to know that his son meant everything to him, but Ennis' life was no more important in God's eye than the life of an innocent young girl, Corrie Williams, killed while riding a bus the same day in another part of Los Angeles. Plenty of people, including children of all races, are killed by predatory gang members, without politicians offering reward money from the taxpayers. That's because politicians, regardless of race, are more interested in publicity than substance and fail to recognize there are no "safe" neighborhoods, because the disintegration in America is beyond race.

People like Gray Davis are who they are and the way they are, regardless of race. Chris Darden was a dedicated and hard-working prosecutor before he was assigned to the Simpson case. Darden prosecutes vigorously, no matter the defendant's race. Faye Resnick, seems genuinely distraught over the death of her friend Nicole Simpson, yet she exploits the tragedy by posing for *Playboy* magazine. If she were black, two things are clear: she would still pose, and, *Playboy* would still publish the photos. In other words, the editors of *Playboy* have their agenda, and it's unrelated to race. Faye Resnick's character has nothing to do with her race.

Lance Ito and Hiroshi Fujisaki (both "Asian-Americans" in the new lexicon) presided, respectively, over Simpson's criminal and civil cases. Lance Ito turned his courtroom into a circus, and Hiroshi Fujisaki acted like a judge, and their common racial heritage is irrelevant. Nancy Wieben Stock is the family

court judge who awarded custody of Simpson's children to him, because she felt that whether he murdered their mother should not be considered. She is white, but she would have made the same stupid ruling if she were black.

Another judge, Thelton Henderson thwarts the will of the people. He rules astonishingly that Proposition 209, the California Civil Rights Initiative, is likely unconstitutional because it prohibits discrimination and preferences based on race and gender. Minorities and women are singled out, he says, not the aged, the handicapped, or veterans or others. By this logic, the 1994 Civil Rights Act is unconstitutional, since its virtually identical language is the basis for 209. Indeed, as 209 co-author Tom Wood points out, "All civil rights laws single out race and sex for unique treatment." Moreover, if 209, by omission, allows the continuation of existing preferences for veterans, it allows them equally for white or black veterans, for male or female veterans. So Henderson is silly, but not because he is black, but because he is liberal. Other judges appointed by Jimmy Carter who are white (and liberal) would have made the same preposterous ruling.

It's probably true that Los Angeles School Board-member Barbara Boudreaux, if she were not black, would not champion ebonics. But her race is not important. What is important is that she wants to celebrate mediocrity in the public schools and use scarce tax dollars to fund this regression.

Dick Morris, the man with the wife, the mistress, and the prostitute, all of whom are white, lost power overnight but is making big money on a book. Hugh Grant, who was caught with a black streetwalker, went on talk shows and then resumed his career. Suppose the Dick Morris call girl were black, and the Hugh Grant streetwalker were white. Would it have changed anything? Does anyone really care?

CPR



California's

Heartless Welfare System

DEMOCRAT ASSEMBLYWOMAN Sheila Kuehl refers to Republican welfare reform as "demonizing the poor." Senator Barbara Boxer wonders if "compassion is out of fashion." Even usually restrained Los Angeles Times reporter Dave Leshner injects in a news story the opinion that "Wilson's approach to welfare reform ended any speculation about whether the governor would try to leave office with a kinder, gentler image" — in short, your faith resides in socialism or you have no heart. CPR requested the following rejoinder to this charge from Assemblyman Tom Bordonaro, a man whose lifetime consignment to a wheelchair qualifies him as one whom leftists routinely pigeon-hole as a "victim," but who, nonetheless, finds fault with their easy moral judgements and, even more, with their idea of compassion for the poor.

Reform requires renewal of the spirit

WEBSTER'S DICTIONARY defines compassion as "sympathetic consciousness of others' distress together with a desire to alleviate it." I would add that compassion also requires some personal commitment on the part of the aid provider to make sure that the cure offered actually does alleviate the distress, or at least that it does nothing to intensify it or, worst of all, make it permanent.

By this measure, America's welfare system is not compassionate. The single note-worthy accomplishment of the welfare programs begun in the 1930s and the so-called "war on poverty" of the 1960s and beyond has been the destruction of millions of families and an addiction, passed from generation to genera-

Tom J. Bordonaro, Jr., represents California's 33rd Assembly District. In 1996, he served as chairman of the Assembly Human Services Committee.



by Tom Bordonaro

tion, to dependence on public assistance. Today, mostly in large urban areas, the dependent society is of catastrophic proportions. The system that produced it is outdated and counterproductive. It discourages work while it encourages illegitimate births and family destruction. It requires that a woman be "deprived" of a husband in order to receive aid. In the words of California's Social Services director, Eloise Anderson, "We have created a system where welfare looks better to a woman than a poor man." Indeed, between 1980 and 1992, the rate at which babies were born in California to girls ages 15-19 increased by more than one third: from 53 to 71 per 1000.

In recent years, California has made significant changes to the welfare system. Work incentives were established; a maximum family grant was enacted so that grants would not increase for families having more children while on welfare (it is estimated that 32 percent of AFDC families have additional children while on aid); and the Cal-Learn program was implemented to provide services and financial incentives to teen parents to finish high school. And still, 80 percent of welfare recipients do not work at all, not even part time. In real numbers, that means more than 2 million Californians exist entirely on the sweat and work of others, gaining thereby neither an appreciation for the meaning of work nor the self-esteem that comes with self-reliance. Take a hard look at the following, frightening statistics:

- California has more people on welfare than 20 states have people.

- With 12 percent of the nation's population, California accounts for 28 percent of all money spent nationwide on AFDC.
- One third of AFDC recipients have been on aid longer than five years and 22,000 families have been on aid longer than 17 years.
- For the 2.6 million Californians now on welfare, 1996-97 grants will total \$6 billion.
- California has 38 percent of the nation's legal immigrants on welfare and 14 percent of those on welfare in California are *illegal* immigrants.

Not only has the welfare system destroyed the lives of millions of Americans, we have sown those same destructive seeds around the world with welfare enticements. Should we add a new inscription on the Statue of Liberty? It might read: "Come to America and lose your work ethic. Give us your huddled masses and we shall make them spiritually bankrupt." Is this the new beacon to the world from America? We must reform this destructive welfare system for the sake of California's children.

TO THIS end, Congress last year passed welfare reform — the Personal Responsibility and Work Opportunity Reconciliation Act in 1996 — which was reluctantly signed into law by Bill Clinton. This represents a first step in renewing hope to the millions now on welfare. It made welfare no longer a federal "entitlement," a perverse concept full of incentives toward generational dependence. Welfare is now a temporary assistance program. Federal participation takes the form of fixed, block grants to states, which gives California the responsibility and flexibility to design effective assistance programs that help families handle rough times without becoming addicted to the cure — not an easy task, but at least one that federal law now, finally recognizes must be undertaken.

Many issues must be addressed. Nearby, some of

the main elements of the Congressional reforms are outlined. (*See box, below*) These reforms changed the welfare question from "What are you entitled to?" to "What are your barriers to work?" The Sacramento Democrats have yet to put forth a comprehensive plan to answer this new question, preferring only to attack the plans others have made. Thus, currently four real proposals are in the mix: one from the governor, one from the Legislative Analyst's Office, one from the Western Center on Law and Poverty, and one from the California Welfare Director's Association. (*See box, facing page*)

Lots of careful thought and debate will be necessary as we sift through the details of these various proposals, as well as of others that may come along before we're through. But it would be a mistake, in the midst of that careful consideration, to let the details cloud our clear vision of where we are heading. We must do more than merely "reform" welfare; we must end the crisis in the lives of millions of Californians the current system has created. I believe the following principles should guide us:

- work begets self-sufficiency and self-esteem, therefore
- public assistance must be temporary, therefore
- welfare must never make indolence more rewarding than work, and
- public assistance must never reward behavior that destroys families. On the contrary, it must be pro-family so as to influence parents to be more responsible for their children.

Compassionate people of the last century believed that helping poverty-stricken families was a responsibility charged by God. It required that they also give of themselves. They knew there is no free lunch, that a cost must always be paid. Poverty fighters in the 1800s were correct in their belief that able-bodied men must work to receive assistance, not to punish them, but so that they would earn the food they ate.

Federal Welfare Reform

Replacing "What are you entitled to?" with "What are your barriers to work?"

- Replaces AFDC with a time-limited (60-mos max) program
- Single-parent families must work 25 hours per week
- 25 percent of one-parent families must be working by October 1997 or state will face penalties
- Two-parent families must work 35 hours per week
- 75% of two-parent families must be working by October 1997 or state will face penalties — up to 5% of block grant

Immigrants

- Non-citizens excluded — SSI/SSP and Food Stamps (with some exceptions)

- Strengthens law governing sponsors' responsibility

Child Care

- 70% of child care block grant must go to welfare recipients or those at risk of going on welfare
- Caps administrative costs

Child Support

- Paternity establishment
- Statewide child-support registry
- Need to establish "new hire" registry

Time Limits — all proposals include hardship exemptions

Governor's Plan

- 1 year within a 2 year period. (If the recipient is on aid 1/1/98 then that family can have up to 2 years on aid initially.
- 5 yr cumulative lifetime limit.

Legislative Analyst's Plan

- 5 years of full grant
- Partial grant continues
- Cumulative lifetime limit.

Law & Poverty Center Plan

- 5 years for state and federal aid. If fully cooperating with work requirements, aid continues.

Cal Welfare Director's Plan

- After 2 years, recipients must be in approved work activity or face sanctions.

Safety net — after time limits

- * Non-cash aid for children only for as long as the child is needy and under age 18.

- Partial grant (approximately 2/3)

- If meeting work requirements (100 hrs/month) and actively seeking work, aid continues to parent and children. If not, parent's aid withdrawn: safety net continues for children.

- If parent is meeting work requirements (40 hrs/week) and in job search, aid continues. Current sanctions apply if fail to participate.

Work Requirements — all proposals include hardship exemptions

- Able bodied single parents must work at least 32 hrs/week.
- Able bodied 2-parent families must work at least 35 hrs/week.

- Work requirements vary by length of time on aid.

- While on aid, able-bodied parents must work or be in an approved work-related activity, unless meet exemption criteria.

- After two years, parent must find unsubsidized job or work in county-designated subsidized work 40 hrs/week.

What a difference it makes for a man to hold his head high, honorably providing for his family through work, rather than drooped in shame as a beggar or a thief. And what a difference it makes to the provider; for that which is taken by force provides no benefit to him from whom it is taken, but that which is given from the heart provides blessings many times over.

Thus, a charity organization in the late 1800s issued the following rules to its volunteers:

- Give relief only after personal investigation of each case.
- Give necessary articles and only what is necessary.
- Give what is least susceptible of abuse.
- Give only in small quantities in proportion to immediate need; and less than might be procured by labor, except in cases of sickness.
- Give assistance at the right moment; do not prolong it beyond duration of the necessity that calls for it.
- Require of each beneficiary abstinence from intoxicating liquors.
- Discontinue relieving all who manifest a purpose to depend on alms rather than on their own exertions for support.

Contrast these genuinely compassionate, wise principles with the lists of "rights" proclaimed today that trap so many in a swamp of dependency. Do the Sacramento Democrats notice the contrast? So far, their actions say they do not. They stacked the deck against Republican reform: creating a new joint committee on welfare with a 12-to-6 Democrat-to-Republican "balance." They seem more concerned with politics than with pulling people from the quagmire.

I challenge them to work with us. Surely, most California Democrats want their elected representatives to lead toward what Ronald Reagan called the "shining city on a hill." Surely, few Democrats believe the compassion of good people should be perverted in a system that leaves its "beneficiaries" without hope or spiritual foundation. Our spirit must be restored, especially within those seemingly without hope.

I HAVE LOOKED into the face of despair. When I was suddenly thrust into a life of confinement in a wheelchair, I asked: why me? But I turned away from that despair, and now I am thankful for the support of my family for being with me and to God for giving me the spirit to overcome. I am thankful for a group of Californians that most of us do not see: those Californians who work quietly within the broad statewide health and welfare system that offers compassionate care for the disabled, food for the hungry, and opportunity for those willing to seek it out and work. The opportunity is there for those who are willing to reach out and take it. Because of the love and support of my family, my faith in God, and help from my fellow Californians, I am today self-sufficient and productive.

The challenge we face in reforming the welfare system is in reforming, and restoring, the human spirit through genuine love and compassion. The spiritual foundation of millions of people on welfare has been shaken, and, in too many, destroyed. We must provide the spark to rekindle their faith. We must spread the good news to all Californians: our best days are yet to be; we only have to seek them out. CPR

PROBABLY NO aspect of prison life came as more of a shock to me than the way prison officials discouraged prisoners' participation in religious programs. Prior to my incarceration I had assumed that even atheist administrators would view religion as a helpful tool in controlling the inmate population. What a shock it was for me to find that the opposite was true.

Instead of encouraging inmates to take part in religious programs, prison officials routinely made it more difficult for us. It seemed to me that many prison officials resented having to make any accommodation to allow us to worship or study our faith.

Many Christians assume that if there is an anti-religion bias among prison officials, it only applies to adherents of obscure sects, whose practices the guards don't understand. That just isn't so. I observed Baptists, Catholics, and other "traditional" faithful frequently prevented from practicing our faiths. For instance, a Christian volunteer who had been conducting services for years was denied permission to enter the prison one day. The guard said he was too busy to run that day's computer printout of religious volunteers. As a result, 30 inmates showed up for services to find them canceled. Of course, we weren't allowed to conduct the service on our own, because no staff or volunteer was present to oversee us.

At another prison camp I was the Chaplain's clerk, and my duties included setting up for Baptist services in the Visitor's Center at 6 p.m. every other Sunday. There wasn't a lot of time for the service because the same room was used for family visiting at 7:00. That gave us 45 minutes to conduct the service and 15 minutes to rearrange the room before guards began letting families in for visiting. To allow the maximum time for worship, the Chaplain arranged for me to leave the dining hall early to set up the room for the service prior to 6:00.

Despite this prior clearance, more often than not, when I went to the Guard Station to ask permission to start setting up, I was told I had to wait until the

minister arrived at 6:00. Thus, the volunteer minister was forced to wait patiently while we set up the room, leaving him less than half an hour to conduct his service.

Lest you think these experiences were limited to the prison camps I was assigned to, let me assure you each time I have mentioned my observation that prison officials seemed to go out of their way to discourage participation in religious activities, the response has been forceful and unanimous: This interference with inmates practicing their faith is the norm in prisons throughout the United States.

For instance, during my presentation at a recent conference I commented on the systematic interference with religious programming. The response floored me. After my speech religious volunteers from throughout the country swarmed around me to relate their own horror stories and assure me that my observations were correct. Prison Fellowship's senior vice-president of Ministry Development, Whitney Kuniholm, chuckled when I related these stories to him. "Some of our volunteers don't think they've earned their stripes until they've driven several hours to get to a prison, been forced to wait in the rain or snow for another hour, and then been turned away without being allowed in."

This winter Justice Fellowship will be highlighting this type of problem for the U.S. Supreme Court in a friend of the court brief in the case *Boerne v. Flores*, which will decide the constitutionality

of the Religious Freedom Restoration Act (RFRA). JF will be defending the right of prisoners to practice their religion, arguing that prisoners are, and should be, included under the protections of RFRA.

Congress passed RFRA to make clear that Americans should be able to exercise their religious beliefs without interference from the government. However, several attorneys general have attacked RFRA arguing that it is an unconstitutional interference in the governance of the states, and using as their main example their claim that prisoners' requests for religious activities interfere with security in prisons.

Justice Fellowship has been working with a broad coalition of churches and religious liberty groups to defend our ability bring Christ to prisoners as He instructed us to do in Matthew 25. Our brief will present evidence of the benefits to prisoners and society of religious activities, and will cite examples such as those above where prisoners have been prevented from participating in religious programs and PF volunteers have been denied access because of hostility toward religion or misunderstanding about how RFRA should be administered.

We have seen God's hand at work in this project from the start. Ask God to use us to touch the hearts of the Supreme Court justices and their law clerks. May His will be done. **CPR**

Former Assembly Republican Leader Pat Nolan is president of Justice Fellowship.

Prisoners' Rough Road to God

Prison officials routinely block inmates' religious activity

Pat Nolan

Rewarded For Failure

California's Bilingual Education System

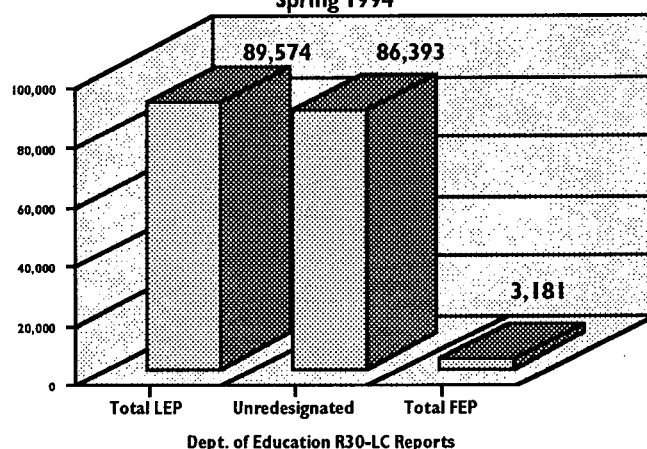
Harald G. Martin

AS A MEMBER of two local school boards*, I wanted to look into bilingual education to see what kind of result we were getting for our tax dollars. What I found is a classic boondoggle of a government system that has run amuck. The bilingual education system in California is rewarded for failure. Every year more and more children are placed into the Limited English Proficiency (LEP) programs and are rarely seen again.

The objectives of LEP programs are to do the following: 1) Teach non-English speakers the English language and to redesignate them as Fluent English Proficient (FEP). 2) Provide sheltered and native language instruction in other curriculum areas (such as math and science) to help keep children at grade level. 3) Provide children with self-esteem and to promote multi-culturalism. Unfortunately, the teaching of English, has taken a very distant back seat to the emphasis in multi-culturalism and native language retention.

School districts are required to fill out a California Department of Education Form R30-LC each spring. Each school in the district must fill out the form for the children in LEP programs at that school. The form includes the native language of each child and how many of the children are LEP. On the back of the form is a box that asks for the number of children redesignated from Limited English Proficient to Fluent English Proficient. In the table below, the results for each school district are listed for the last three years. Column A is the total number of children designated as LEP. Column B is the total number of children redesignated as Fluent English Proficient that year and Column C is the relative percentage of those redesignated.

LEP vs. FEP Redesignations
Spring 1994



WHAT I found was that over the last three years there was an average of 89,217 kids that were in some type of LEP program. Over those three years, an average of 3,535 students were moved into the Fluent English Program (FEP). That is only 3.96 % of students that are being redesignated each year. In other words, 96.04% don't get redesignated. For you sports fans, that means that bilingual education programs are batting an astounding .040. I would submit that children could do that well without going

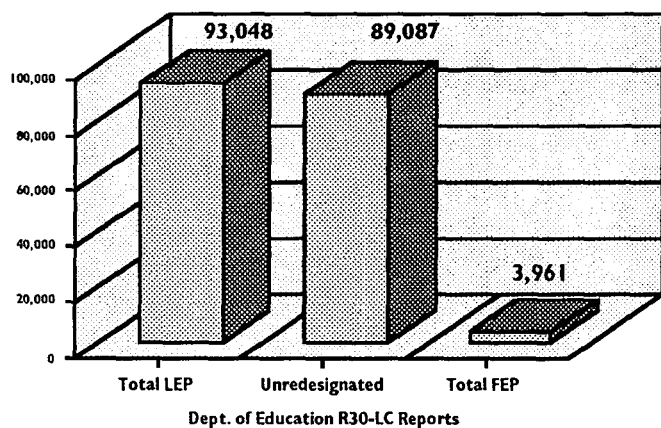
* Harald G. Martin is a member of the school boards of the Anaheim School District and the Anaheim Union High School District. The views expressed here are Mr. Martin's and do not necessarily represent those of either school board.

SCHOOL DISTRICT	SPRING 1993			SPRING 1994			SPRING 1995		
	A	B	C	A	B	C	A	B	C
Anaheim Elementary	8651	287	3.32%	9513	240	2.52%	10320	331	3.21%
Anaheim Union High	8133	424	5.21%	7680	267	3.48%	7344	714	9.72%
Brea-Olinda Unified	471	44	9.34%	550	36	6.55%	479	49	10.23%
Fullerton Elementary	2634	128	4.86%	2959	121	4.09%	3181	126	3.96%
Garden Grove Unified	16303	592	3.63%	17856	631	3.53%	18743	572	3.05%
La Habra City	1664	130	7.81%	1759	93	5.29%	1881	122	6.49%
Magnolia Elementary	1418	212	14.95%	1704	157	9.21%	2070	148	7.15%
Newport-Mesa Unified	4042	143	3.54%	4119	182	4.42%	4284	120	2.80%
Orange Unified	6089	294	4.83%	6229	316	5.07%	6596	413	6.26%
Placentia-Yorba Linda U.	3091	97	3.14%	3195	143	4.48%	3296	94	2.85%
Santa Ana Unified	32150	1099	3.42%	33541	980	2.92%	34307	1237	3.61%
Savanna Elementary	382	12	3.14%	496	15	3.20%	547	35	6.40%
TOTALS	85028	3462	4.07%	89574	3181	3.55%	93048	3961	4.26%

to school at all. Thousands of new non-English speakers pour into the system each year and only a few trickle out.

I HAD TO ask, "What is going on here?" I came up with three possible answers, two of which I discarded immediately and the third that made sense. First I thought; these kids must have some kind of a learning disability. Well, I threw that out just about as fast as I had thought about it. These kids are not stupid, they are as bright and intelligent as anyone else, so there must be another reason that is causing this problem. Ah, the teachers are shirking their duties and are not teaching properly. That one went out the window pretty quickly too. I have great faith and trust in the vast majority of our teachers and such a general state-

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ment was unreasonable. What else is there? There is an adage to any investigation: *follow the money*.

Funding for bilingual programs is based on the number of children that are *in* the program. The more kids in the program, the more money schools get to administer the program, provide training, hire additional personnel, etc., etc., etc. However, when they have done their job and have redesignated an LEP child to the FEP status, funding stops. If there was ever a disincentive to make a system work, this is it. Funding continues as long as you *keep* kids in the program. But if you do your job well, not only are you not rewarded, but you also end up losing the funding. The bilingual education system is designed to reward failure and to punish achievement. It is no wonder that the system does not provide any meaningful results.

Ironically, I believe that the children that are getting most of the funding and programs are the ones that are being the *most* hurt by it. Because of their population size, Hispanic children make up the bulk of many LEP programs. As a result, they more often end up in native

language instruction classes and have more bilingual aides in their classes. Ultimately, they have significantly less incentive to learn English than those who do not get the so called "benefits" of these programs. The R30 reports are primarily responsible for this theory.

For example, in 1995, Paul Revere School in the Anaheim City School District had 759 Spanish speaking children in the LEP program. The bulk of these children (513) receive primary language support and the others received less primary language support. However, 41 students in the LEP program spoke either Vietnamese, Khmer, Thai, Mandarin, Indonesian, Samoan, German, Punjabi, or Tongan. None of these children received native language instruction and are basically immersed in English. Out of the 800 children in the LEP program, only five (0.625%) were redesignated as being Fluent English Proficient. This kind of lopsided situation is often repeated in the R30 reports reviewed. The question that jumped to my mind was, "How many children of the non-Spanish languages that were immersed in English were redesignated vs. those in the native language instruction programs or those that had significant assistance by classroom aides or bilingual teachers?" I tried to find out, but guess what — that is "confidential information" and cannot be released. Amazing! When we find out how many students were redesignated that had not been in a native language instruction course or had aides to help them, I believe that we will find that bilingual education is even *less* proficient than the poor results currently indicate.

Be aware that "education experts" will have a litany of 101 excuses as to why we can't get these kids to be proficient in English. Every excuse you hear about why bilingual education can't produce results, is simply one more reason why bilingual education should be done away with completely.

THE GOVERNOR and the Legislature should rethink funding for bilingual education. We should reward programs that succeed; programs that don't work should receive no funding. Immersion in English should become the preferred method of teaching non-English-speaking students. It certainly can't be worse than what is going on now and it will save hundreds of millions of dollars that are wasted on a failed system of education. The hundreds of millions of dollars that have been misdirected to failing bilingual programs should be redirected to rewarding those programs that prove they can get the job done. Unfortunately it doesn't look like 1996 is going to be a better year. The overall average for the listed school districts for this year is only a 4.02% redesignation rate.

CPR



Advancing With CCRI

Richard Ferrier

A FEW WEEKS before the election I had a phone call from a Republican Assemblyman whom I will not name. Let's call him George Herbert Walker, since he is a bush league counterpart of our last honest president, and like him an amiable and well-meaning man. GHW wanted my support in his re-election campaign, and I gave it to him. As a vice-chairman of the 209 campaign, I asked him in turn whether he would speak up for the abolition of sex and race preferences. GHW: "I'm with you in spirit, Richard, but I haven't made a public endorsement yet; you know I have public university campus X in my district, and I can't afford to alienate those folks. But I'm for you." 209 carried in GHW's district by almost 20 points, including the precincts around campus X. Fast forward to the day after Pete Wilson's State of the State Address. GHW is quoted in the biggest newspaper in his district praising the governor for not mentioning 209 and its travails in court as proof of the new Pete's centrist and reasonable political persona.

GHW is almost certainly wrong about Wilson's persistence in pushing for an end to preferences. Whatever bones we conservatives have to pick with the governor, we cannot find fault with him on CCRI. He and Ward Connerly understand what the California GOP leadership has consistently failed to grasp: 209 was morally right, politically astute, and will entail a long and bitter struggle with the Democrat Party and the diversity industry, not only in the courts, but also in the media, business, and the universities.

On the political front, Republicans have forgotten the lessons of history. The moral capital accumulated by liberals like Hubert Humphrey came from their steady support of civil rights in public and before hostile audiences even in their own Party for years, even decades, before they tasted final victory in the 1964 Civil Rights Act. The public is not stupid. It can tell

Richard Ferrier served as a vice-chairman of the CCRI campaign.

the difference between conviction and posturing, which is why, after the CCRI campaign, Ward Connerly appears, rightly, a hero, and many establishment Republicans look like hacks.

This is a good news/bad news story for the GOP. The bad news is that even with partisan lines clearly drawn, with Dole awkwardly endorsing 209 and Clinton smoothly opposing it, the Party lost the Assembly and Clinton carried the state. The good news is that the left is so intransigent and its defense of preferences so lavishly-funded by non-profits and left-wing interest groups that there is time for Republicans to establish their *bona fides* on the issue in the coming years while the legal and legislative battles roar on.

Better still, it appears that, for once, the left won't be alone in staying on to fight the crucial post-election courtroom and public opinion battles. The leaders of the 209 campaign foresaw that the campaign would continue, and prepared for it. This time we won't see the electoral victors meekly lie down and be rolled over by the liberal judiciary and the slanted press.

209 is currently blocked by an injunction issued by Judge Thelton Henderson, an obviously partisan arbiter, but its authors, Tom Wood and Glynn Custred, have obtained a hearing from the Ninth Circuit Court of Appeals to stay the injunction and they are also asking the court to vacate Henderson's order. Their advice is being sought by advocates of CCRI-type legislation in other states and in the U.S. Congress. Wood and Custred understand clearly that the struggle will be long and that they will need to sustain the organization that launched CCRI, Californians Against Discrimination and Preferences (CADAP).

PROMINENT LOS ANGELES attorney Manuel S. Klausner, representing CADAP, won defendant intervenor status for the group in the lawsuit being heard by Judge Henderson, which means it can supplement the efforts of Attorney General Dan Lungren by means well beyond

the submission of *amicus* briefs. Specifically, CADAP can depose witnesses, file motions, and submit evidence. This move again indicates a more thorough, sophisticated, and aggressive follow-up to the election than we've seen in the past. The Pacific Legal Foundation, for instance, recently requested defendant intervenor status to expedite the litigation tying up Proposition 187, *two years* after its implementation was blocked by a federal judge. Another area that will test Californians' resolve really to defeat preferences will be their willingness to continue financing the fight. Conservative funding has been adequate for CADAP's early efforts, but it will have to continue.

Meanwhile, Ward Connerly has started his own organization to sustain 209's momentum. Showing courage many Republican politicians lack, Connerly rolled out his American Civil Rights Institute on the anniversary of Martin Luther King's birthday, much to the chagrin of the moral midgets who inhabit the ruins of what was the Civil Rights Movement. ACRI is helping initiatives in Florida, Oregon, and Washington. When Henderson's stall is over, ACRI will monitor compliance issues arising from 209. Connerly says that a "top goal will be to educate our federal representatives about the need for a federal CCRI." When Connerly educates you, you know it. Just ask Pacific Gas & Electric CEO Stan Skinner, whose Sacramento office was picketed by Connerly when Skinner tried to use the muscle of the utility giant to assist Willie Brown and the other foes of CCRI last fall.

The Democrats, having dodged the bullet in the '96 elections, are still in an exposed position, perhaps more than they were last year. More than 50 Democrat leg-

islators have signed a tendentious letter to UC President Richard Atkinson asking him to suspend the Connerly resolution banning preferences for graduate students in the University of California on the grounds that they violate Federal Employment Affirmative Action Regulations, which they claim are relevant because graduate students are actually employees. The Clinton Labor Department is mulling over papers filed to the same effect from liberal interest groups, while the Justice Department has intervened in the Ninth Circuit against 209 on grounds so implausible they defy summary, but which appear to come to the claim that to prohibit discriminatory preferences is OK program by program but not *en bloc* in a state constitution, since to do so prohibits a request from selected groups to enjoy such preferences, which itself is discrimination against the selected groups. I am not making this up.

WHEN THE American people awoke to the wrongs of Jim Crow, their moral indignation culminated in a steady resolve to eradicate the evil from the laws and resist it in their hearts. The response of the Southern political establishment, "massive resistance" as it was called, was overcome by a patient and determined application of moral and legal pressure lasting decades. The statesmen who applied that pressure earned an honored place in history. Now Wood, Custer, and Connerly are giving conservatives, and all Americans, a chance to share another victory vindicating the self-evident truths on which the country was founded. It is a great opportunity; let us hope that more of our friends abandon their timidity and seize it. CPR

Correspondence

(Continued from page 2)

clear. For years it has been conventional wisdom in San Francisco, where the question was first asked regarding the political direction of this rapidly increasing ethnic minority, that this group either did not vote, or would, if it did vote, vote for caution and enterprise, that is, Republican. Wrong.

Hispanophone immigrants evidently voted Democrat overwhelmingly in the last election. Since the main provider of unearned income for these immigrants as well as for the others has been generous Uncle Sam, and since, given they generally lack even the slightest historical understanding of how the American golden goose became that way over centuries of toil and privation, they

would indeed be fools if they did not try to keep the federal sluice of continual delight full for themselves, their children, and to support the countless relatives and friends they no doubt intend to help bring into the country.

Vastly excessive immigration provides the solvent of political ignorance, block voting, and unearned rewards eating away at the vitals of American society, nowhere more so than in California. It has made the Democrat Party beholden to increasing its voting mass by catering to the politics of handout and anti-white discrimination. Excessive immigration in current circumstances has therefore destroyed the very basis for a responsible two-party system.

R. C. Raack, professor emeritus
Cal State Hayward

CPR Editor John Kurzeil responds:

I cannot write for anyone but myself, but I would say Mr. Raack has provided two good critiques: one of California's educational and welfare systems, the other of conservatives who, by their lethargy and inaction, have permitted the left to dominate almost every platform from which new Americans, whether immigrant or new born, may be taught the lessons learned through "centuries of toil and privation." If the left remains alone in mobilizing to convert people — whether immigrant or native born, they're all potential new Democrats in their eyes — we will all continue to read off first this group, then that, ending up voting Democrat, regardless of whether they seemed likely GOP prospects to start with. The basis for our two-party system is West-

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(Please turn to page 31)

The Plot Thickens in the Dornan/Sanchez Race

Hermanidad — used to lecturing others about ‘rights’ — displays its own peculiar devotion to democratic process.

by Leon McKinney



LAST ISSUE, I took the *Orange County Register's* news reporters to task for using a “computer analysis” (in a December 6 story) to leap to the implied conclusion that Bob Dornan’s allegations of vote fraud in Loretta Sanchez’s 46th Congressional District victory were groundless. Behind their numbers and statistics, the *Register* reporters’ case was: Dornan’s charges are bound to collapse because what people wrote on voter registration forms doesn’t back them up, as though Dornan expected to find people who planned to vote illegally admitting foreign citizenships or bogus names or addresses on their registration forms. As it turns out, an examination of the actual registration forms in many cases *has* turned up evidence indicating that many people who had no legal right to vote may have been led, perhaps unwittingly, to register and vote by left-wing activists whose scruples in observing the fine points of the democratic process seem a trifle thin and wavering.

I’ve heard my article caused quite a stir at the *Register*. *Register* editorial writer and *CPR* Editorial Board member Harold Johnson correctly caught me leaping to conclusions myself (see this issue’s “Correspondence,” page 2). Contrary to what I wrote last issue, Johnson was unaware of his colleagues’ “investigation” when he wrote his December 1 op-ed on which I commented.

Last December 27, after *CPR* went to print, the *Los Angeles Times* published evidence indicating that a so-called “immigrant rights” group, *Hermanidad Mexicana Nacional*, may have instigated illegal registrations and voting by non-citizens. According to the *Times*, 19 people taking *Hermanidad's* citizenship classes admitted to registering to vote, at *Hermanidad's* urging, while still non-citizens. Since then, as further evidence indicating possible shady doings by *Hermanidad* accumulates, the group’s anguished cries of “anglo bullying” grow more shrill.

In the midst of all this, another strawman has been

erected, this one by Sanchez and the Democrats. Sanchez attorney Fred Woocher has said that for Dornan’s election challenge to succeed, Dornan must show that at least 979 votes — Sanchez’s margin of victory — were cast illegally and that all of them were for Sanchez. This is false, and would probably prove impossible to do. First of all, it is a felony to release or disclose a person’s ballot (secret ballots, remember?). You can’t ask someone in court how they voted; the judge would stop you. Second, even if Dornan could produce 979 affidavits from people stating they voted illegally for Sanchez, all the Democrats would have to do would be to produce 979 more from people saying voted illegally for Dornan. There would be no way to prove anyone was lying.

But Dornan is not required to do the impossible. His immediate objective is to convince the US House Oversight Committee, and then the full House, to unseat Loretta Sanchez on the basis of voting irregularities and to call a new election. Dornan’s attorney, William Hart, says that will require Dornan to show: 1) the number of votes that should be thrown out erases the difference between Dornan and Sanchez *and*, 2) that sufficient evidence of electoral wrongdoing is found to make it impossible for anyone to know for sure who really won the election.

Dornan and his attorneys may already have cleared these hurdles. At a February 7 news conference they released evidence — uncovered by them and investigators from the offices of the Orange County District Attorney and Secretary of State Bill Jones — that more than 1,700 votes were improperly cast in the Dornan-Sanchez election.

Itemizing the evidence: 1) 102 voters verified by the INS as illegal aliens; 2) another 368 former *Hermanidad* citizenship class students were non-citizens when they voted; 3) 152 additional persons were non-citizens when they registered, later became citizens and voted despite their improper registration; 4) 128 more persons had their absentee ballots illegally turned in by third parties (not “immediate relatives,” as required by law); 5) 38 documented cases of double-voting; 6) 39 documented

CPR Contributing Editor Leon McKinney writes political commentary for the Orange County Register.

cases of illegally voting from non-residence addresses, such as Burger Kings, Ace Muffler Shop, Payless Shoe stores, bakeries and florists, and a closed county welfare office; 7) 924 more votes counted in ballots boxes than were on the registrar's election record tape.

DORNAN'S ALLEGATIONS are receiving additional support from independent investigations by both the *Register* and the *Times*. The *Register* examined the affidavit filed by the DA's office for the search warrant of *Hermanidad's* Santa Ana offices. When the registrar gives blank registration forms to groups like *Hermanidad*, each form has a recorded number so that when it's returned the registrar can determine which group originally received the form. Those issued registration forms have a legal responsibility for how they are used. If the forms are later proven to be involved in illegal activity, the original recipient could be in trouble. The DA's affidavit centered around a list of 1,160 names of individuals whose voter registration cards had been signed out to *Hermanidad* and, thus, in all likelihood, were registered by *Hermanidad*. After examining the list, the INS reportedly informed the DA investigators that 227 individuals on the list were non-citizens when they registered and that of those 227, 88 voted in November.

The affidavit also reportedly describes DA investigator interviews with five confidential informants who tell how *Hermanidad* pressed them to register to vote, although as non-citizens they were ineligible. The affidavit states that one confidential informant told investigators that "*Hermanidad* is very powerful and would harm him/her if it was known he/she was cooperating with law enforcement." The affidavit states that another informant said "he/she feared for his/her personal safety and that of his/her family's." According to the affidavit, both said they had received letters from *Hermanidad* telling them not to cooperate with law enforcement regarding their citizenship.

On February 1, the *Times* revealed that when the DA raided *Hermanidad's* offices, they came away with more than a dozen computers, financial documents, payroll records, employee and student rosters, attendance sheets for citizenship classes and other records. Also seized were the files of 434 immigrants who are in the process of applying for citizenship, according to court records and published interviews with *Hermanidad* attorney Mark Rosen and the organization's director of operations, Jay Lindsey. After cross-checking the names of those immigrants against county voter records, the *Times* found 374 that match the names of people who registered to vote. Of those who registered, 220 cast ballots November 5. When the *Times* showed this to attorney Rosen, he — as the

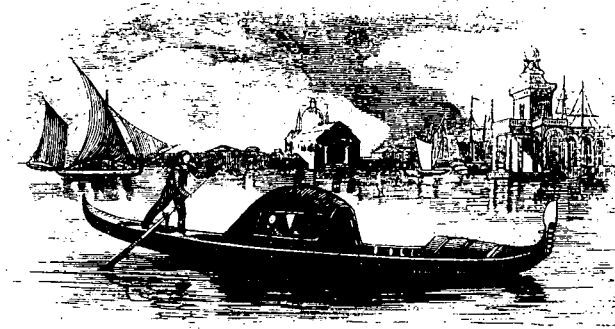
Times charitably put it — "had no immediate explanation for why 374 of the names in the active files would match the names of people who registered."

The *Times's* sleuthing prompted *Hermanidad* to accuse *Times* reporters of — get this — helping Dornan and oppressing Latinos. Except for wailing about evil white people keeping Latinos down, Nativo Lopez, the director of *Hermanidad's* offices in Santa Ana and a newly elected member of the Santa Ana Unified School District board, has declined since December to be interviewed about the allegations. *Hermanidad's* motion to have its files returned asserts that the DA seizure of them is "a direct infringement on *Hermanidad's* First Amendment right of political association and free speech" and having its membership lists in the hands of the district attorney "may well be sufficient to scare people away from *Hermanidad*." I hope so. *Hermanidad* bookkeeper Antonio Montano told the *Times* last December that *Hermanidad* served more than 13,000 "clients" in 1995 — 10,000 in Santa Ana alone. Most, he said, went through *Hermanidad's* citizenship classes. Suppose we apply the ratios — of clients to illegal registrants to illegal voters — the *Times* reported from the 434 seized case files. That indicates *Hermanidad* might have registered 11,200 people illegally and that 6,600 of them voted. Last December's claims of "thousands" of illegal votes cast begin to seem more reasonable.

The role of County Registrar Lever appears increasingly disturbing. Dornan's original complaints to the DA and Bill Jones describe registrar officials allowing unsealed ballot boxes to be dumped on the counter on election night, then counting the tainted ballots, and offering four different excuses for what happened. Now it emerges that the 924 ballots missing from the election tape consist of 460 "data-entry errors" by registrar employees and 464 voter records canceled by Lever after the election. Dornan's filing with the House Oversight Committee, in which he opposed a Sanchez motion to dismiss his election challenge, asks "whether these 464 records were canceled because it became known to the registrar that they represented illegal votes? These records represent actual ballots counted in the 46th District election which have subsequently been canceled without explanation."

HERE'S BILL JONES' chance to show his declared "zero-tolerance" for voter fraud. Likewise for Orange County DA Michael Capizzi who, readers may recall, bankrupted Assemblyman Scott Baugh's staffer Maureen Werft while prosecuting her for voting in her home town of Huntington Beach while she spent the summer at a Sacramento job. Capizzi can now show whether he really believes "honest elections are the cornerstone of democracy" — even for Hispanic activists. CPR

The Law of La-La Land Meets the Dreaded Graffiti Menace



Gideon Kanner

IT'S HARD to resist the conclusion that the principal industry of Southern California is making ourselves look ridiculous. After some 40 years of viewing the local scene, I thought I had seen it all. After all, who could ever top the demand of Studio City residents of a few years ago, that a car wash in their neighborhood be officially declared by the City of Los Angeles to be a historical "cultural monument"? Or another citizen demand that a parcel of land in the San Fernando Valley be zoned to remain forever vacant as the historical *situs* of the procreative exertions of a Hereford stud bull named Sugwas Feudal?

No, dear readers, I am *not* making it up; these things really happened out here, and are duly recorded in the annals of local land-use law. But now my fellow Californians have done it again. Behold the Great Venice On-Again, Off-Again Graffiti Caper in which the crime-fighting forces of the City of Los Angeles met society's enemy and found that the enemy was actually cleaning up graffiti, not spraying them on.

Venice, California, as every TV viewer must surely know by now, is a trendy beachfront community in Los Angeles. It is also a leading kookbin of the West Coast. As a civic-minded Southern Californian, I'd go so far as to boast that when it comes to sheer wackiness, Venice is easily in the same league as San Francisco or possibly even Berkeley and Santa Cruz. It's the kind of place where the president of the local homeowners' association publicly professes to harbor

no objections to graffiti and deems them a part of Venice's funky ambience.

Venice was developed at the turn of the century by a visionary individual who was so impressed with the canals in the real Venice, that he decided to replicate them back home. Alas, it didn't work. The canals became stagnant backwaters and many had to be filled in, though some remain, providing a colorful touch to the modest homes of the area. Over the years Venice evolved into a down-at-the-heels home of elderly pensioners and urban gangs, as well as a kind of a beached Mother Ship to all sorts of beach freaks and New Age funny folks. It also became a tourist attraction renowned for its boardwalk performers and peddlers, to say nothing of its legendary, bikini-clad roller skaters.

THE MOST noteworthy event in Venice in recent years was the 1993 Great Venice Duck War. The health authorities tried to capture and kill ducks that nest in the canals to prevent the spread of a virulent, contagious avian disease, only to be forcefully confronted by enraged Venetians who called them "Nazis" and threatened to fight 'em on the beaches. This was no mean challenge to the authorities. Don't scoff. Out here in La-La land our appellate courts have held that for a Californian to confront a cop, spit in his face, and call him a "f*****g a**-h****" is merely a citizen's inalienable right to self-expression, guaranteed by the First Amendment. No, I'm not making that one up either. But eventually, what passes for common sense around here prevailed and the plucky duck protectors settled for seeking extraordinary relief from an in-

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sensitive California Court of Appeal which turned them down. Astute observers of the legal scene expected a petition to the California Supreme Court, and I even contemplated volunteering for *pro bono* representation of our webfooted friends, provided I could obtain leave of court to plead their cause in a Donald Duck costume, to show solidarity with their plight. But things never went that far, and what surely would have been a great moment in the annals of California jurisprudence was lost to posterity.

EVERYTHING IS different about Venice — and that includes its notions of crime. Oh sure, Venice has more than its share of bourgeois crimes like killings, robberies, burglaries, and such. But now Venice has boldly gone crimewise where no one — at least no rational being — has gone before. In the wee hours of a long January night, while Venetians were asleep in their beds, the criminal element struck with deadly efficiency. When the sun rose, its rays illuminated a scene of unimaginable horror. The Venice “graffiti pit” — a walled beachfront picnic area outfitted with concrete tables and benches — had been painted over, and now, instead of assaulting the eyes of passersby with the familiar sprayed-on visual mess, was all nice and clean. The sneaky miscreants, working under cover of night, repainted the graffiti-stained walls and picnic tables with a coat of beige paint.

Anywhere else this would have been celebrated as an act of civic-minded community service. But not in Venice. Los Angeles Councilwoman Ruth Galanter, after first testing the political winds by coming out foursquare against graffiti, reconsidered and called in the police, exhorting them to deal harshly with such blatant vigilantism. The cops, in turn, announced that they viewed the midnight graffiti cleanup as an act of vandalism that they meant to pursue and prosecute *ex proprio vigore*. LAPD’s Lt. Ann Young declared the eradicated graffiti to be the “artistic type, the good type, if there are any types of good graffiti.” The Venice trendies practically declared mourning. “I almost cried” was the reaction of a lady identified by the *Los Angeles Times* as Jane Klotz, a board member of the Venice Art Mecca, a nonprofit arts organization. Even a spokesman for a local anti-graffiti organization, in spite of voicing the rather politically incorrect view that graffiti removal should not be viewed as a crime, felt obliged to condemn publicly what he called an act of trespass. Just who trespassed where was not clear since “the pit” is on a public beach.

As it turned out, the caper came to an end a day or two later, when the “criminals” fessed up. Surprisingly, they turned out to be, not incensed urban aes-

thetes driven beyond endurance, but rather a crew from Project Heavy West, a nonprofit local community agency that specializes in graffiti removal. The City of Los Angeles had contracted with the Heavy West folks to remove graffiti from the Venice Beach Pavilion located next to “the pit,” and the project’s graffiti busters quite sensibly concluded that the “the pit” was every bit as much in need of their ministrations as the other area, and painted it too. No one, by the way, took the trouble to explain why the graffiti on the Pavilion were a blight, but the ones in “the pit” constituted a work of art.

The actual paintbrush-wielding operatives turned out to be convicted criminals who get to do community service instead of suffering the inconvenience of incarceration. This type of punishment is commonly meted out to people convicted for spraying on graffiti, and I can only wonder to what extent their intellects are up to the task of reconciling being convicted for spraying on graffiti and simultaneously being vilified for cleaning it up.

Once the jig was up, the politically correct public reactions and confessions of sin were not long in coming. The executive director of Project Heavy West called the clean-up of “the pit” “a tragic error,” and publicly apologized. A spokesman for Councilwoman Galanter announced that the cops had called off their investigation, thus leaving your faithful correspondent perplexed as to why an activity that is deemed a crime worthy of a public denunciation and a vigorous police investigation when thought to be perpetrated by private citizens, ceases to be such when the “criminals” turn out to be city factota. No one, it seems, got any coverage for celebrating the cleanup or for saying out loud that graffiti are a blight on the urban landscape and people cleaning them up should be commended.

“Hey, it was a mistake,” said Rick Feibusch, president of the local homeowners’ association. “It’s all going back up again and it’s going to be better than ever.” Mr. Feibusch was clairvoyant. Within days, new graffiti started to appear on the painted-over surfaces, and, as the *Los Angeles Times* reported, “A rainbow of colors peeked through the places that the painters failed to cover.” The clean-up job thus turned out to be a familiar good-enough-for-government-work job.

AND SO, as the sun set in the West, peace returned to the funky little seaside village of Venice whose graffiti “artists” may now spray away to their little hearts’ content, and whose population may now rest easy, secure in the knowledge that art conquers all. “Venice overcomes all adversity,” said Mr. Feibusch. Indeed. **CPR**

ARTS & CULTURE



C R I T I C U S

Homage à Leni

B Y G . B . T E N N Y S O N

IF WILLIAM JEFFERSON BLYTHE should still be in office after we cross the bridge to the twenty-first century, he will spend just twenty days of that century as president. Given his wearisome reiteration of the bridge metaphor, it may be that he believes, as with so many others, that the twenty-first century will begin on 1 January 2000, giving him a full year plus twenty days in which to explore the mysteries and challenges of the new Millennium. Of course, the Millennium will actually begin on 1 January 2001. Although this fact has been widely acknowledged by thinking people, the belief in the mystique of the year 2000 as the beginning of the next century persists among the rude multitude; hence many activities are already planned or at least bruited for that year as the great turning point. The very rich have booked on a Concorde flight that will begin at the international date line and proceed round the world in sequence with the progress of the New Year, presumably with toasts of bubbly every hour for twenty-four hours, which ought to engender the Mother of all Hangovers.

None of the above will prevent the authorities in Sydney from proclaiming the next Olympics as the first of the twenty-first century. Indeed, they already did when the orb and sceptre — or I suppose it was the torch and five-ringed flag — were handed over to them at the close of the Atlanta games last summer. Which leads me to my real subject, an aspect of the Olympics that went mostly unremarked during last year's Richard Jewell Games but that provides food for thought for the Millennial games whenever they occur. I mean the Olympic aesthetic and the neglected story of its chief, though not sole, begetter.

G.B. Tennyson occasionally dispenses his wit and wisdom as Professor of English at UCLA. He specializes in Victorian literature and in the writings of the Oxford Inklings.

In the second-quarter 1996 issue (*i.e.* the issue for April-May-June) of that steadfastly unreconstructed publication *The Southern Partisan*, contributor Richard Quinn takes up a largely unknown (and, where known, ignored) aspect of the modern Olympics, namely, the origins of some of the props and procedures that have become identified with the games. In particular, he cites the lighting of the torch in Greece and its transmission by a succession of runners to the host city and also the five rings of the Olympic logo. These touches first surfaced at the 1936 Olympics in Berlin. Quinn writes: "Visually, all of this pomp and majesty was dreamed up by Hitler and Leni Riefenstahl, who directed the famous Nazi propaganda masterpiece *Olympia*." He further notes that the torches were produced by the dread munitions-making Krupp company. All this is essentially true, though *this Criticus* (engagingly, *Southern Partisan* shares the name, using it, however, not for a particular person, but for a section of the magazine devoted to reviews and critiques) would modify at least the judgment that the film *Olympia* is Nazi propaganda, but we'll get to that later.

THAT THE cinematic genius Leni Riefenstahl had much to do with the style of the modern Olympics is beyond dispute and can be demonstrated from many sources. But the interesting aspect of Quinn's report is that he attributes it to "a book soon to be published by the Johns Hopkins University Press (*The Modern Olympics: A Struggle for Revival*, by Donald Young, professor of Classics at the University of Florida)." Long a fan of Leni Riefenstahl as well as a student of symbols, pomp, and circumstance, this Criticus set out to acquire the referenced book. "Soon to be published" at the time of the first quarter of 1996 stretched itself into late

November. Nothing too surprising about that, especially with academic publishers, but when the book at last appeared, it turned out to be written by David, not Donald, Young (a pardonable slip). But rather more perplexing, it turned out to contain none of the information Quinn attributed to it. The names Riefenstahl, Hitler, Krupp, *Olympia*, even Berlin and the XI Olympiad (the Berlin one) appear nowhere in the index. The only reference to the five-rings logo is a brief remark in a footnote that they were probably inspired by Baron de Coubertin's early Olympic symbol of two interlocked rings, with a direction to the reader to Coubertin's papers and to an article Young wrote in a collection of essays published in San Diego in 1989, which Criticus has not endeavored to find.

Perhaps more curious yet is the fact that Young's book is not really about the works and ways of recent Olympics but rather about the creation of the "modern" Olympics in the sense of the events leading up to the first post-classical Olympics of 1896. Beyond that it is a revisionist study that argues that Pierre de Coubertin was nothing like the innovator he has come to be regarded as, since there were Olympic stirrings and proto-Olympics throughout the nineteenth century, mostly in Britain, beginning as far back as the 1830s and all arising from a Romantic desire to recapture something of the glory that was Greece. To all this Coubertin was a latecomer, however much of the subsequent credit he was clever enough to garner for himself. Indeed, the estimable Leni Riefenstahl dedicated *Olympia* to Pierre de Coubertin, though this fact is not noted in Young's book. Nor is anything else about *Olympia* or Leni.

WHY, THEN, did Quinn claim in advance of publication that Young's book would reveal a "matter of inconvenient fact" and a "piece of history that Olympic boosters may find to be ... significantly embarrassing"? One presumes that Quinn had reason to believe that the Riefenstahl-Hitler connection with the Olympics was extensively discussed in the book. Was it excised before publication? If so, why? The odor of political correctness begins wafting through the corridor. If the Young book, even in manuscript or galleys, never treated these matters, was Quinn hallucinating? If so, why link it to a book not yet available? Curious, all this.

But not to worry. Criticus, like a literary Mighty Mouse, has come to save the day. Here is the story. *Pace* Quinn, David Young shows that a great deal of the na-

tionalism, the hype, the hooray and hoopla that we associate with the Olympics was actually there from the start. Coubertin, Young notes, would have applauded the fireworks and the Hollywood musical effects of such as the

Los Angeles Olympics (one of the few recent Games that Young mentions, albeit fleetingly). It was the early enthusiasts like Coubertin who made the explicit link with ancient Greece, who agitated ceaselessly for the Athens site for the first modern games, who conjured up an Olympic logo and an Olympic hymn and much of the rest. What Riefenstahl, and to a lesser degree Hitler, did was to bring these events into the modern world of high-impact audio-visual promotion and publicity, to suffuse them with an aura of lofty point and purpose.

Hitler's interests were chiefly architectural. He wanted to recreate Berlin along grandiose monumental lines that would include a vast Olympic stadium befitting his megalomaniacal vision of the Third Reich. He caused an existing

stadium to be greatly enlarged and enhanced with towers and sculptures and other trappings of state glory, the obvious models for which were the stadiums of classical antiquity such as the Roman Colosseum, the same sort of models that have governed the form of modern American sports stadiums like the Rose Bowl and the Los Angeles Coliseum.

While the *Führer* busied himself with the naming of the towers around the Olympic stadium and the flying of flags from World War I regiments, the much more artistically inventive Leni Riefenstahl, who had gained Hitler's favor, and much documentary experience with the filming of the Nuremberg rally two years before, was devising ways of capturing the phenomenon of the Olympics on film. What she accomplished is what transformed the Olympics from a sport to a spectacle, from a local event to a world event, and, perhaps yes, from a group of national competitors to a group of nations competing. It was indeed Leni who created the logo of five rings by having them incised in the ground in Greece at Mt. Olympus whither she had gone to film the staging of the torch ceremony, which she apparently also invented. Later, others came upon the residue of her rings and thought they had discovered remnants of ancient Greek Olympic designs. Talk about the invention of tradition. To be sure, the Greek athletes of the original games, as Young has shown, were in fact professionals, so the much-vaunted amateur character of the Olympics was flawed from the start and has since become no more than a blatant hypocrisy, but even the sophisticated Greeks did not think in terms of honoring the five (to them unknown) continents by link-



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ing five rings, each in a different color, so that, as in modern use, at least one color of every national flag in the world would be represented in one of the rings. That is the sort of universalism that was alien to the original Olympic spirit, though perfectly in keeping with the glorification of sport and nation as encompassing the world that Riefenstahl helped intensify in the modern Olympics.

IT IS a grandiosity that is still there. When you see masses of athletes or other professionals forming the five rings on the field, floodlights crisscrossing the sky, the Olympic flame slowly dying down to the sound of the Olympic hymn (now by Beethoven as inspired by Schiller — both Germans — and, in Berlin by Richard Strauss, especially commissioned for the event), while a portentous voice intones “I call the youth of the world to ... [the future Olympic venue],” you are seeing, with very few changes, the closing of the 1936 Berlin Olympics. The “youth of the world” now includes those geriatric professional athletes who compete and compete and compete.

Most of the foregoing can be verified by viewing the final product of Riefenstahl’s filming of the 1936 Olympics, the 215-minute long *Olympia*, and by reading the relevant portions of her 1987 autobiography (English translation 1992; no translator’s name given) titled *Leni Riefenstahl: A Memoir*, which is a lengthy but highly informative autobiography cum *mea non culpa*. *Olympia* itself is actually two films, each about two hours long. The first is subtitled “The Festival of Nations,” the second “The Festival of Beauty.” The first part concentrates on the opening pageantry and on track and field events in the stadium. The second part focuses on the beauty of the human body in athletic action in events like hockey, sailing, swimming, diving, and the marathon. The athletic “star” of the first part is Jesse Owens, and of the second Glenn Morris, the decathlon winner — both of course Americans. This is Nazi propaganda?

“The Festival of Nations” part of *Olympia* is immensely innovative in visual and aesthetic terms and clearly set the pattern for coverage of sporting events to this day. That very influence constitutes its chief drawback for modern viewers: we have all been so well educated by Riefenstahl and her followers in how to “read” the language of film and simultaneously so accustomed to speed and even frenzy in sports coverage that *Olympia* seems today rather slow-paced. What took Riefenstahl two years to edit from the thousands of feet of raw footage would now probably be reduced to half its length. But none of this takes away from the extraordinary achievement of making

an absorbing full-length film out of the seemingly inchoate events of the Olympics. “The Festival of Beauty” is an unabashed glorification of the physical body in a style that has been exploited and built upon ceaselessly by subsequent filmmakers, photographers, and not least advertisers. If it is “fascist visuals,” as Susan Sontag and others have claimed, then we must extend the same charge to almost every contemporary Hollywood film and many a television show, to say nothing of Calvin Klein, at least in his male underwear phase before he discovered the beauty of anorexia. And all of it should have made Riefenstahl a venerated name in film history. Instead, hers is the film sin that dare not speak its name.

Her sin? It is alluded to in Quinn’s misplaced statement that *Olympia* is “the famous Nazi propaganda masterpiece.” If it is Nazi propaganda to show the head of government of the host Olympic nation smiling and clapping at events during the games, then what is it to show, as Riefenstahl does, Jesse

Owens winning four gold medals as a member of a racially integrated American team to chants from the stands of “YOU-ESS-AY! YOU-ESS-AY!” (sound familiar?) and to follow through by showing the raising of the American flag and the playing of the American national anthem on each of those occasions? American propaganda? And no, Virginia, Hitler did not snub Jesse Owens by refusing to shake his hand: on the first day Hitler stood on the rostrum with the winning athletes (who did not include Owens that day), but the French president of the IOC took exception and said it was against Olympic protocol, so a chastened Hitler (imagine!) never stood there or greeted athletes again. If anybody snubbed Jesse Owens, it was Count Baillet-Latour. And of course, unlike American presidents, Hitler did not invite his own nation’s medal winners to his residence to be photographed and televised and for all we know to sleep in the Lincoln bedroom and make a donation on the way out. If this exonerates Hitler in some very small matters (it is said he also liked dogs and children), wherein resides Riefenstahl’s offense?

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THE ANSWER to the Crime of Leni lies in work two years before the Olympics. It was her making of the documentary film recording the events of the Nazi Party rally in Nuremberg in 1934. This film, which Riefenstahl now protests (almost too vigorously) that she did not want to make, appeared in 1935 under the title *Der Triumph des Willens* (*The Triumph of the Will*). Rather like the recent Republican and Democrat national conventions, the Nazi Party rally was designed to glorify the party in question. Considering that



The athletic “star” of the first part is Jesse Owens. This is Nazi propaganda?

it was the governing Party of the state, none of this should surprise. Considering too that once Riefenstahl had accepted a commission, she was going to do her best, it is also not surprising that the result is cinematically brilliant. It is in some ways, because more compact, a more watchable documentary than *Olympia*, but one can also see how it helped shape Riefenstahl's ability to deal cinematically with mass motion, parades, crowds, public symbolism, and hence how it influenced the filming of the Olympic games two years later and the style of the Olympics today.

However, none of the history of the making of the film or the technical mastery demonstrated by it apparently can exonerate Riefenstahl of the charge of being a force for evil second only to Hitler himself. She is credited with, or accused of, having staged the rally herself. One treatment says of *The Triumph of the Will*, "Hitler was the Messiah, as Leni Riefenstahl portrayed him—emerging from the clouds in an airplane." Presumably this refers to the *second* coming, as we know the first was quite otherwise; but in any case, Hitler *did* arrive by airplane, perhaps himself thinking of messianic parallels, but clearly obliging the photographer to record the event as it was. Hindsight appears to think that Riefenstahl could and should have dictated to Hitler some less pretentious mode of arrival, possibly on a platform at the rear end of a train cheerily chugging through fields of waving grain, or at least waving hops.

The treatment of Leni Riefenstahl after the war was in keeping with the sentiments attached to her films. Not only was she imprisoned for several years before finally being cleared of any crime, she was effectively debarred from film-making. Resilient and determined, she went on to another career as a still photographer, amateur cultural anthropologist and champion of an east African tribe, the Nuba. This in turn has brought her a good deal of criticism in modern Germany from those who think her too old to be photographing naked natives or for that matter

going scuba diving in her eighties, as well as far-fetched claims that she rendered the black Nuba as Nazis. But all that is another story, one that can be followed in her memoir and in a 1993 documentary film made about her, bearing the all too apt title "The Wonderful, Horrible Life of Leni Riefenstahl." Although this indomitable and greatly gifted woman is still alive today and will turn 95 in August of this year, she has never been taken up by the feminists. Their eyes go blind when they encounter a woman of achievement on the wrong side of the political spectrum. Moreover, Riefenstahl is unrepentant. Not that she defends Nazism (she was never even a Party member), but that she defends her art and her life in the manner of Edith Piaf singing "*Non, je ne regrette rien*." In 1974 she was the guest of honor at the Telluride Film Festival, and of course there were protests. She concluded, "I was finally forced to realize that I will never get rid of the shadows of the past. Nevertheless, I have found the strength to come to terms with this fate without bitterness."

IN SUM, it seems to Criticus that if passions have been aroused by Leni Riefenstahl's life and work, they have often been aroused for the wrong reasons. What I would deplore about her cinematography is that it was so good that it led us to the pretentious quasi-religious carnival of the modern Olympics and modern sports in general. Who would have thought that a media monster like Dennis Rodman is the result of a fascist aesthetic? In fairness, of course, we cannot blame an artist for the misuse of his work by others. Recently Criticus came upon a bizarre appropriation of the famous painting "The Scream" by Edvard Munch. There it was in a toy shop in a shopping mall in the form of a life-size, inflated, rubber doll, the hands clasped to the sides of the head and the face contorted in that agonized expression we all know so well. I think it ought to be adopted as the mascot for the Sydney Olympics, the last games of the old millennium. **CPR**

BOOK REVIEW

Four Score and Seven Years Ago

Three New Civil War Books

BY DAVID F. FAUSTMAN

AT A TIME when most high school seniors in California cannot identify the first six words of the Gettysburg Address, and do not

know in what decade the American Civil War was fought, it is heartening to see three new books about the great conflict.

In *Don't Know Much About the*

Civil War, Kenneth Davis continues his admirable endeavor to pro-

David F. Faustman is an attorney practicing in California and a commentator on legal business issues.

duce readable history books. Students and parents with curiosity, and the honesty to realize that the teaching of history and geography in the public schools is woefully inadequate and mired in "political correctness," will find Davis' contribution valuable and enjoyable.

THE BOOK contains no illustrations, but the text is broken into superbly organized chronological segments that include topical questions (e.g., "Who were the first Abolitionists?", "Why was Andrew Johnson impeached?"), "Civil War Voices" (e.g., Andrew Jackson, Sam Houston), "Documents of the Civil War," and "Songs of the Civil War." The first 150 pages cover the prelude to the war, from Thomas Jefferson's attempt to include the evils of slavery in the Declaration of Independence to Lincoln's election in 1860. Davis, of course, cogently covers the details of the war itself. The last 100 pages cover the aftermath of the war — the destruction of the South and the forging of a continental nation. The emancipation of the southern slaves — more than 4 million people set free to fend for themselves in an unfamiliar market economy — was a profound event not yet satisfactorily digested 130 years later. Understanding America's race problems begins with an understanding of the vast effect and force of the consequences of our Civil War.

The Civil War claimed more than 500,000 casualties. Historical novels, sometimes, can best bring the tragic enormity of that statistic into human perspective. Jeff Shaara's *Gods and Generals* carries on this fine tradition. A prequel to his father's *The Killer Angels* about Gettysburg, the younger Shaara's book takes us

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453 pages, \$25, cloth;

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One cannot intelligently discuss "affirmative action" or "ebonics" without understanding that the issues are rooted in the opportunities and problems associated with the Great Emancipation of the 1860s. Harry Truman said, "The only thing you don't know is the history you haven't read yet." As Lincoln might say, it is altogether fitting and proper that we continue to study the Civil War. CPR

Correspondence

(Continued from page 22)

ern Civilization, a thing that is being lost through the neglect of those who say they love it but who actually, by and large, take it for granted. Cutting off all immigration would contribute to only a tiny degree, if at all, to slowing the disintegration of our way of life. We will be able to say conservatives are serious about sustaining their freedom when they found or buy or otherwise takeover a few newspapers, broadcast networks, film studios, universities, professional and labor organizations, and governing bodies of major religions and devote themselves sufficiently to using them to teach freedom. That's how this way of life was built; anything less is just whistling past the graveyard.

duce readable history books. Students and parents with curiosity, and the honesty to realize that the teaching of history and geography in the public schools is woefully inadequate and mired in "political correctness," will find Davis' contribution valuable and enjoyable.

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Lynn Sampson Recommends

Video

Without a Clue (Orion Home Video, \$19.95, 540 Madison Avenue, NY, NY 10022, Catalog Number 2733). I



caught my 19-year-old son laughing uproariously at this 1988 movie now available on video. A new take on the hundred-year-old Sherlock Homes stories, this hilarious film stars Michael Caine as the world's most famous detective and Ben Kingsley as the faithful Dr. Watson. However, things are not what they seem!

Music

Violin Voyager (ROM Records, \$16.95, CD, Box 491212, Los Angeles, CA

90049, Catalog Number 26004). Violinist Kim Angelis revives the charm, energy and pathos of Slavic Gypsy music. In her debut CD. Accompanied only by harp, guitar, piano, and cello with an occasional tambourine, she is able to journey between fire and tears on her versatile instrument.

Restaurants

Jacob's (2501 McHenry Avenue, Suite D, Modesto, CA 95350, 209/529-2829). Sometimes a restaurant can be as much an artistic experience as attending the symphony or a gallery opening. Eating at Jacob's is a little of both. Besides having the best fried calamari in California, the decor and service make it just about the most exquisite place in which you could ever dine.

Books

Camille: The life of Camille Claudel by Reine-Mari, Paris (Arcade Publishing, Little Brown and Company, New York, \$14.95). After a disappointing

season of art gallery visits, I happened upon this 1988 illustrated biography of little known French sculptor Camille Claudel. I was instantly struck by the power that heart-felt, honest art can have and by the sadness of realizing the paucity of quality and sincerity we are suffering from in the modern art world.

Hugging a Tree

Windstar Foundation (2317 Snowmass Creek Road, Snowmass, CO 81654,



970/927-4777, Basic membership \$35). If you are looking for sensible environmentalism, then Windstar is the place. Headquartered near Aspen, Windstar devotes itself to level-headed, rational projects and maintains a 1,000-acre preserve in the Rocky Mountains, open to all year-round for hiking, birding, and wildlife viewing. **CPR**

A veteran print and broadcast arts critic, Lynn Sampson hosts "Movies Worth Watching with Lynn Sampson," daily on KCIV-FM, Modesto.





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